BEFORE DELHI COOPERATIVE TRIBUNAL
GOVT. OF NCT OF DELHI
VIKAS BHAWAN-II, GROUND FLOOR, DELHI

DAILY ORDERS

Order of 03.06.2026

Appeal No. 009/2025/DCT

03.06.2026

Present: Sh. Sandeep Kumar, Adv. appears through VC.

R2 in person and Sh. Rajiv Vig, Adv. appears through VC.

Quorum is not complete as Ld. Member is on earned leave.

Sh. Sandeep Kumar submits that an order of status quo has been passed on the supersession of the society. Therefore, he still represents the appellant society before the Tribunal. Sh. Vig however, disputes the same.

It is in any case submitted by both the Ld. Counsels that Ld. Financial Commissioner has heard the arguments in the appeal against an order superseding the MC. The said matter is now listed for orders before the Ld. FC.

Adjourned to 23.07.2026 to await the orders.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 021/2021/DCT

03.06.2026

Present: Sh. Sandeep Kumar, Adv. for the Appellant Society appears through VC.

Respondent D.K. Goel in person.

Quorum is not complete as Ld. Member is on earned leave.

Adjourned for arguments on 07.09.2026.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

03.06.2026

Present: Appellant in person and Sh. Rajiv Kumar Sharma and Sh. Sandeep Koli, Advocates.

Sh. Amar Singh, AR of the Respondent Society in person and Sh. Anshul Garg, Adv.

Quorum is not complete as Ld. Member is on earned leave.

With the good offices of the Ld. Counsels, the matter stands amicably settled.

In view of the law laid down by Hon'ble High Court of Delhi in *Kamlesh Jain Vs. Jain Cooperative Bank Ltd.*, reported as *2007(142) DLT 782*, Sh. Mittal has agreed to settle the matter claiming interest @ 10% per annum (Simple). He has also agreed to waive off the litigation expense as well as penal interest and prays that necessary directions be issued to the Asst. Collector Grade-I, office of RCS to waive off the surcharge of 5 % in arbitration case no. 1807/AR/ARB/2023-24 titled as Shree Agrasen Co-operative Urban Thrift & Credit Society Ltd. V/s. Sh. Amit Gupta & Ors.

Heard.

The prayer for waiver of 5% Surcharge is allowed. A division Bench of the Hon'ble High Court of Delhi in ***W.P.(C) 2836/2018 titled as Kaushalaya Devi &Ors. Vs. Delhi Nagrik Sehkari Bank Ltd., decided on 02.12.2021,*** has held that where the judgment debtor makes payment directly to the decree holder, no surcharge is to be paid to the office of RCS. Therefore, the amount, which has been paid out of Court, directly by the appellant to the respondent society is not liable to any surcharge.

Appellant has volunteered that he will pay an amount of Rs. 4,00,000/- before 30.06.2026 and balance amount of Rs. 3,00,000/- in 03 EMIs.

The final figure settled between the parties is Rs. 7,00,000/- after adjusting CD and share money of the appellant. Therefore, towards final terms of settlement, appellant shall pay an amount of Rs. 4,00,000/- by 30.06.2026 and EMIs of Rs. 1,00,000/- each on 31.07.2026, 31.08.2026 and 30.09.2026.

It is further agreed that in case of default, whatever amount is deposited by the appellant, shall be adjusted towards outstanding loan and the matter shall proceed on merits and appellant shall be liable to pay penal interest, litigation expense, arbitration expense etc. as per the agreement.

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In token of acceptance of the settlement, appellant and AR of the society has signed the margin of the order sheet.

Adjourned to 31.07.2026.

Copy of this order be given dasti to both the parties.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 091/2022/DCT

03.06.2026

Present: Ms. Bala Sundari, CAE of the Appellant DCHFC in person and Ms. Shobhna Takiyar, Adv. appears through VC.

Sh. Sandeep Kumar, Adv. for the Respondent Society appears through VC.

Quorum is not complete as Ld. Member is on earned leave.

Adjourned for arguments on 01.09.2026.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 185/2018/DCT

03.06.2026

Present: Sh. Narender Kumar, Proxy Counsel for the Appellant appears through VC.

Sh. Amrish Kumar Dwivedi, Clerk of R2 Bank in person and Sh. Ankit Gupta, Adv. appears through VC.

None for R3, R4 & R6.

Quorum is not complete as Ld. Member is on earned leave.

Adjourned for arguments on 14.08.2026.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)