

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

DAILY ORDERS

Order of 03.09.2025

03.09.2025

Present: Sh. Sandeep Kumar, Adv. for the Appellant.

Fresh appeal filed on 27.08.2025. Be checked and registered.

Issue notice in the main appeal to R2 on filing of PF/SP or courier.

Sh. Sandeep has drawn the attention of this Court to order dated 09.01.2024 passed by the Hon'ble High Court of Delhi in WP(C)267/2024 where an order passed by DCT granting compensation, has been stayed. It is submitted that there is no provision in the DCS Act to grant compensation to an aggrieved member against the actions of the society.

Operation of impugned order dated 26.06.2025 passed by the Additional RCS in arbitration case no. 114/GH/Addl. RCS/DR/ARB/2023-24, is stayed till further orders.

Notice returnable on 03.11.2025.

PF be filed within one week from today.

Copy of this order be given dasti to the appellant.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 080/2025/DCT

03.09.2025

Present: Ms. Sachi Chopra, Adv. for the Appellant.

Ms. Natasha Sayal, Adv. for R2.

Quorum is not complete.

Ms. Sayal has filed her Vakalatnama. Same is taken on record.
Ms. Sayal prays for adjournment to file reply.

Let the needful be done within four weeks from today with an
advance to appellant's counsel.

Rejoinder, if any, may filed by the adjourned date.

Adjourned to 16.10.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 081/2025/DCT

03.09.2025

Present: Sh. Akshay Bhardwaj, Adv. for the Appellant appears through VC.

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

Quorum is not complete.

Sh. Sharma submits that respondent society has been served yesterday only and prays for short adjournment to file reply to the appeal as well as to stay application.

Let the needful be done within two weeks from today with an advance copy to appellant's counsel. Respondent society shall also file up-to-date statement of accounts by the adjourned date.

Adjourned for arguments in the stay application on 22.09.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 082/2025/DCT

03.09.2025

Present: Sh. Akshay Bhardwaj, Adv. for the Appellant appears through VC.

Sh. Ravinder Singh Tethi, Adv. for the Respondent Society.

Quorum is not complete.

Sh. Tethi has filed reply to the main appeal as well as to the application for stay. Same is taken on record. He undertakes to supply copy of reply to Sh. Bhardwaj during the course of the day.

Adjourned for arguments in the stay application on 26.09.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 192/2022/DCT

03.09.2025

Present: Appellant in person with Sh. Kunal Kalra, Adv.

Sh. Sandeep Kumar, Adv. for the Respondent Society.

Quorum is not complete.

Ld. Counsels submits that they have no objection to the appeal being heard and disposed off by the Chairman sitting single, de hors the quorum. They have signed the consent form. Same is taken on record.

Adjourned for arguments to 14.10.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

03.09.2025

Present: Mohd. Zubair and Mohd. Irfan, Advocates for the appellant in person and Md. Iftikhar, Adv. appears through VC.

Ms. Nishtha Sharma, Adv. for R1 Society.

Quorum is not complete.

Ld. Counsel for R1 Society has filed reply. Same is taken on record. Copy supplied to appellant's counsel.

Ld. Counsels for both the parties submits that they have no objection to the appeal being heard and disposed off by the Chairman sitting single, de hors the quorum. They submit that they will file the signed consent form on or before the adjourned date.

Meanwhile, issue notice to the concerned AR of the RCS to present with the Trial Court record on the next date.

Now, to come up on 19.09.2025 for producing the Trial Court record.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

03.09.2025

Present: Mohd. Zubair and Mohd. Irfan, Advocates for the appellant in person and Md. Iftikhar, Adv. appears through VC.

Ms. Nishtha Sharma, Adv. for R1 Society.

Quorum is not complete.

Ld. Counsel for R1 Society has filed reply. Same is taken on record. Copy supplied to appellant's counsel.

Ld. Counsels for both the parties submits that they have no objection to the appeal being heard and disposed off by the Chairman sitting single, de hors the quorum. They submit that they will file the signed consent form on or before the adjourned date.

Meanwhile, issue notice to the concerned AR of the RCS to present with the Trial Court record on the next date.

Now, to come up on 19.09.2025 for producing the Trial Court record.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 053/2025/DCT

03.09.2025

Present: None.

Quorum is not complete.

Adjourned for further proceedings to 13.10.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 055/2025/DCT

03.09.2025

Present: Sh. Karanveer Singh, Adv. for the Appellant.

Sh. Amit Yadav, Adv. for R1 Society.

Quorum is not complete.

Sh. Yadav has filed his Vakalatnama and resolution of the society. Same are taken on record. None has appeared for R2 & R3. Notice issued to R2 has come back un-served with the report that the addressee was not available.

Appellant may file amended memo of parties furnishing the latest address of R2 within two weeks from today. On doing the needful, notice be thereafter issue to R2 on filing of PF, dasti, WhatsApp with liberty to the appellant to affix a copy of notice at the main gate/house of R2 in case of his/her non-availability at the address mentioned. Paper books which have come back un-served, can be reused.

Meanwhile, R1 society may file reply, if required, with an advance copy to appellant's counsel.

Notice returnable on 10.11.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

03.09.2025

Present: None for the Appellant.

Sh. Rishi Devgan, AR of R1 Society with Sh. Rajvardhan Upadhyay, Adv.

Quorum is not complete.

Ld. Counsel for R1 society submits that appellant has not been appearing since 02.05.2025.

This is the 3rd consecutive absence of the appellant. Appellant has also not complied with the directions to serve R2. Ld. Counsel for R1 society therefore, prays for appeal to be dismissed in default and for non-prosecution. However, this Tribunal is of the opinion that one last opportunity can be afforded to the appellant.

Issue Court notice to the appellant through WhatsApp, e-mail address through his counsel. Notice returnable on 17.10.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 079/2023/DCT

03.09.2025

Present: Sh. S.N. Bhagat, Adv. for the Appellant appears through VC.

Sh. Ram Vilas, AR of the Respondent Bank in person and Sh. Akshay Bhardwaj, Adv. appears through VC.

Quorum is not complete.

Adjourned to 14.11.2025 to await the quorum.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 083/2024/DCT

03.09.2025

Present: Appellant in person.

Sh. Sachin Singh, Sh. Rakshit Singh & Sh. Rajesh Kumar,
counsels for R1 Society with Sh. Krishan Kumar, AR.

Ms. Laxmi, counsel for R4 appears through VC.

Quorum is not complete.

Settlement has failed.

It is jointly submitted by the parties that they have no objection to the appeal being heard and disposed off by the Chairman sitting single, de hors the quorum. They have signed the consent form. Same is taken on record.

Adjourned to 10.09.2025 for R4 & his counsel to sign the consent form.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 090/2024/DCT

03.09.2025

Present: Sh. Pradeep Kumar, Adv. for the Appellant.

Sh. Tarun Kumar Garg, Secretary & Sh. Chandra Bhan Tiwari,
AR of the Respondent Society in person and Sh. Ganesh Chand Sharma,
Adv. appears through VC.

Quorum is not complete.

To come up along with connected matters on 31.10.2025.

Interim order to continue.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 091/2024/DCT

03.09.2025

Present: Sh. Pradeep Kumar, Adv. for the Appellant.

Sh. Tarun Kumar Garg, Secretary & Sh. Chandra Bhan Tiwari,
AR of the Respondent Society in person and Sh. Ganesh Chand Sharma,
Adv. appears through VC.

Quorum is not complete.

To come up along with connected matters on 31.10.2025.

Interim order to continue.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

03.09.2025

Present: Sh. Pradeep Kumar, Adv. for the Appellant.

Sh. Tarun Kumar Garg, Secretary & Sh. Chandra Bhan Tiwari, AR of the Respondent Society in person and Sh. Ganesh Chand Sharma, Adv. appears through VC.

Quorum is not complete.

Sh. Pradeep Kumar has shown to this Tribunal, bank account statement in the matter of Sh. Mahesh Chand Sharma, showing withdrawals of Rs. 50,000/- between 01.01.2014 and 02.01.2014. Ld. Counsel submits that this amount of Rs. 50,000 was withdrawn and deposited at the cash counter of the society towards repayment of the loan and only thereafter, N.O.C dated 11.01.2014 was issued.

It is further submitted that receipts were not issued by the society as the receipt book was under printing and straight away, an N.O.C was issued. Ld. Counsel for the respondent society submits that let this averment be made by the appellant on affidavit. Ld. Counsel for the appellant submits that affidavit shall be submit on the adjourned date. Meanwhile, respondent society shall look into their records and find out if any, receipts were issued to any depositor between the dates of 02.01.2014 to 11.01.2014. Ld. Counsel for the appellant submits that similar affidavit in the matters bearing appeal nos. 090/2024 & 091/2024 on behalf of the appellant shall also be filed by the adjourned date.

Adjourned to 31.10.2025

Interim order to continue.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 112/2023/DCT

03.09.2025

Present: Sh. S.N. Bhagat, Adv. for the Appellant appears through VC.

Sh. Ram Vilas, AR of the Respondent Bank in person and Sh. Akshay Bhardwaj, Adv. appears through VC.

Quorum is not complete.

Adjourned to 14.11.2025 to await the quorum.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

03.09.2025

Present: Sh. Pankaj Bhatia, AR of the Appellant/Non-Applicant.

Sh. S.S. Dalal, Adv. for the Applicant/Respondent Society appears through VC.

Quorum is not complete.

Appellant has filed reply to the application UO9R7CPC and also to the application u/s 5 of the Limitation Act.

Ld. Counsel for the Applicant/Respondent Society seeks ex-parte proceedings to be set aside on the ground that on 05.11.2024, he could not enter appearance as he was held up in the Hon'ble High Court of Delhi. He also failed to make the entry in his diary and he therefore, did not appear on the subsequent dates as well.

Condonation of delay in moving the application, is also sought for the same reason. Sh. Pankaj Bhatia, AR of the non-applicant/appellant has strongly opposed the application. It is submitted that the provisions of CPC are not strictly applicable before the Tribunal. Further, there is no proof that the Ld. Counsel had failed to enter the matter in his diary. It is also submitted that delay of 99 days in moving the application, is not justifiably explained.

I have heard Ld. Counsel for the applicant/respondent society and AR of the non-applicant/appellant.

The cause submitted by the Ld. Counsel for his non-appearance, seems justifiable causing the consequential delay as well. Moreover, this Tribunal is of the opinion that even if, ex-parte proceedings are not set aside, respondent is within its right to join the proceedings from this stage onwards.

The law is settled that before disposal of the final appeal, respondent can enter appearance at that stage and continue from that stage onwards.

Further, quorum of the Tribunal not being complete, the matter in any case has not proceeded any further from the stage when respondent was served and failed to enter appearance. As regards the delay in filing the application, the same is also justifiable as the Ld. Counsel submits that he had forgotten to make an entry in his diary.

In view of the above, both the applications are therefore, allowed, subject to cost of Rs. 2,500/- payable by the applicant/respondent society to the appellant. Ex-parte proceedings are set aside, subject to payment of costs.

Sh. Dalal further seeks adjournment to file reply to the appeal and also objections to the authorisation in favour of Sh. Pankaj Bhatia.

Let necessary objections be raised in reply.

Adjourned for reply as well as for payment of costs.

Adjourned to 09.10.2025.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 017/2018/DCT

03.09.2025

Present: Appellant in person.

None for the Respondent Society.

Quorum is not complete.

Adjourned to 16.10.2025 to await the quorum.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)

Appeal No. 203/2018/DCT

03.09.2025

Present: Appellant in person.

None for the respondent.

Quorum is not complete.

Adjourned to 16.10.2025 to await the quorum.

(NAROTTAM KAUSHAL)
CHAIRMAN (DCT)