

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

**DAILY ORDERS**

**Order of 27.01.2025**

**27.01.2025**

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

Sh. Rahul Hajela, Son of the Respondent in person with Sh. G.L. Verma, Adv.

Quorum is not complete.

Application

Application has been moved by R1 seeking recall of ex-parte interim order dated 10.12.2024. It is submitted by Sh. Verma that the order was passed on 10.12.2024 without his assistance and without giving him an opportunity of hearing. It is submitted that the issue of membership of R1 had already been agitated before the Hon'ble High Court of Delhi wherein certificate dated 28.11.2023 had been produced by Counsel of RCS that petitioner therein, i.e. present respondent shall continue to enjoy fruits and benefits of his membership. Reference is made in order dated 29.11.2023 passed by the Hon. High Court of Delhi in WP(C) 14931/2023.

Contesting the prayer and seeking the interim order to continue, Sh. Sandeep Kumar submits that membership of R1 ceased u/s 41(1)(c) of the DCS Act as he had executed a GPA, gift deed, possession letter all dated 30.08.2015 in favour of his son Sh. Rahul Hajela. It is therefore, submitted that there was no formal order required to be passed.

I have heard the Ld. Counsels.

It may be noted that order dated 10.12.2024 was effective only till the next date of hearing.

The interim order was not intended to be final order or effective during the pendency of the appeal. The next date of hearing has already arrived and no further continuation of the order is directed. The issues being raised by both the Ld. Counsels, are open to be agitated and adjudicated before the appropriate forum.

The interim order dated 10.12.2024 is directed not to be extended further.

The application is therefore disposed off.

At this stage, Sh. Verma submitted that document executed on 30.08.2015 specifically the GPA already stands cancelled by way of registered cancellation deed dated 29.12.2023. Copy of the same is handed over by Sh. Verma to Sh. Sandeep Kumar. Gift deed is an unregistered document. Possession is with the respondent who is residing therein. Sh. Sandeep Kumar submits that in view of the GPA having been cancelled, society shall take steps to restore the membership of Sh. Ravinder Hajela.

Adjourned to 28.02.2025.

**NAROTTAM KAUSHAL)**  
**CHAIRMAN (DCT)**

**Appeal No. 008/2024/DCT**

**27.01.2025**

Present: Appellant in person with Sh. Amit Talwar, Adv.  
Sh. Sandeep Kumar, Adv. for R1 Society.

Quorum is not complete.

Adjourned for arguments to 07.07.2025.

**NAROTTAM KAUSHAL)**  
**CHAIRMAN (DCT)**

**Appeal Nos. 087/2024, 088/2024 & 089/2024/DCT**

**27.01.2025**

Present: One of the Appellant Sh. Amit Joshi in person with Sh. Ankur Singhal, Adv.

Sh. S.K. Sharma, Adv. for the Respondent Society appears through VC.

Quorum is not complete.

AR of the Society is not present. Ld. Counsel for the Respondent Society is out of station. Adjournment is therefore, sought.

Heard.

Ld. Counsel for the Appellant submits that appellant shall endeavour to deposit an amount up to Rs. 50,00,000/- on or before the adjourned date with the society to show his Bonafede to enter into settlement.

Adjourned to 17.02.2025.

**NAROTTAM KAUSHAL)**  
**CHAIRMAN (DCT)**

**Appeal Nos. 096/2024 & 097/2024/DCT**

**27.01.2025**

Present: None.

Case called 2<sup>nd</sup> time since morning.

Adjourned to 21.02.2025.

**NAROTTAM KAUSHAL)**  
**CHAIRMAN (DCT)**

**Appeal No. 010/2023/DCT**

**27.01.2025**

Present: Sh. Prajwal Sharma, Proxy Counsel for the Appellant Society appears through VC.

None for the Respondent.

Quorum is not complete.

Sh. Prajwal Sharma submits that steps for impleading LR's of the deceased Respondent shall be taken by the adjourned date.

Adjourned to 27.02.2025.

**NAROTTAM KAUSHAL)**  
**CHAIRMAN (DCT)**

**Appeal Nos. 122/2024, 123/2024,  
124/2024 & 125/2024/DCT**

**27.01.2025**

Present: Sh. Mayank Ahuja & Ms. Varsha Singh, Advocates  
for the Appellants.

Sh. Anil Kumar Mathur, AR of R1 Society with Sh. Suresh  
Kumar Aggarwal, Adv.

Quorum is not complete.

Reply already stands filed on behalf of the society. Sh.  
Aggarwal submits that application for condonation of delay has  
not yet been disposed off. He seeks disposal thereof.

As regards the service on the principal borrower, Sh. Ahuja  
submits that he will file affidavit of service by way of affixation.

Application moved by the Appellant to summon the TCR of  
arbitration case other than the present arbitration is dismissed as  
there is no provision for the Appellate Court to call for the evidence  
specially when the same is not relevant.

Quorum is not complete.

Adjourned for arguments to 14.05.2025.

**NAROTTAM KAUSHAL)  
CHAIRMAN (DCT)**

**Appeal Nos. 126/2024 & 127/2024/DCT**

**27.01.2025**

Present: Sh. Mayank Ahuja & Ms. Varsha Singh, Advocates  
for the Appellants.

Sh. Anil Kumar Mathur, AR of R1 Society with Sh. Suresh  
Kumar Aggarwal, Adv.

Quorum is not complete.

Reply already stands filed on behalf of the society. Sh.  
Aggarwal submits that application for condonation of delay has  
not yet been disposed off. He seeks disposal thereof.

As regards the service on the principal borrower, Sh. Ahuja  
submits that he will file affidavit of service by way of affixation.

Application moved by the Appellant to summon the TCR of  
arbitration case other than the present arbitration is dismissed  
as there is no provision for the Appellate Court to call for the  
evidence specially when the same is not relevant.

Quorum is not complete.

Adjourned for arguments to 14.05.2025.

**NAROTTAM KAUSHAL)**  
**CHAIRMAN (DCT)**



**Appeal No. 128/2023/DCT**

**27.01.2025**

Present: Appellant in person with Sh. S.P. Gairola, Adv.

None for R1 Society.

R2 one of the LR's of principal borrower is present. He represents himself as well as his brother.

Quorum is not complete.

Issue Court notice to Sh. R.K. Gupta, Counsel for R1 Society/ Respondent Society returnable on 04.03.2025.

Meanwhile, R2 shall explore possibility of settlement with the society.

**NAROTTAM KAUSHAL)**  
**CHAIRMAN (DCT)**

**Appeal Nos. 131/2024, 132/2024,  
133/2024, 134/2024 & 135/2024/DCT**

**27.01.2025**

Present: Sh. Mayank Ahuja & Ms. Varsha Singh, Advocates  
for the Appellants.

Sh. Anil Kumar Mathur, AR of R1 Society with Sh. Suresh  
Kumar Aggarwal, Adv.

Quorum is not complete.

Sh. Aggarwal has filed his Vakalatnama and submits that  
he has not been served the hard copy of the appeal. Sh. Ahuja  
undertakes to provide the hard copies in each appeal to Sh.  
Aggarwal today.

Reply to the application for condonation of delay as well as  
to the main appeal, if any, be filed by the adjourned date.

Adjourned to 14.05.2025.

**NAROTTAM KAUSHAL)**  
**CHAIRMAN (DCT)**

**Appeal No. 118/2024/DCT**

**27.01.2025**

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

Quorum is not complete.

An application has been moved seeking direction to the society to recalculate the amount due in terms of the order passed. It is submitted that the society is wrongly calculating the amount due.

This Tribunal is of the prima-facie opinion that no further clarifications in an order passed is envisaged. Non compliance or compliance of the order by misinterpreting the same would call for separate course of action and not any recalculation.

Ld. Counsel for the appellant submits that connected matters are listed for 06.02.2025.

Adjourned to 06.02.2025.

**NAROTTAM KAUSHAL)**  
**CHAIRMAN (DCT)**

**Appeal No. 003/2025/DCT**

**27.01.2025**

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

**Fresh appeal filed on 07.01.2025. Be Checked and registered.**

Quorum is not complete.

Issue notice to R1 & R2 on filing of PF/RC Returnable on 12.02.2025.

**NAROTTAM KAUSHAL)  
CHAIRMAN (DCT)**

**Appeal No. 013/2024/DCT**

**27.01.2025**

Present: Appellant in person with Sh. Avnish Maithani,  
Proxy Counsel on behalf of Sh. Namit Saxena, Adv.

Sh. Sandeep Kumar, Adv. for R1 Society.

Md. Azhar, Adv. for R4 to R7.

Quorum is not complete.

Adjourned for arguments to 07.07.2025.

**NAROTTAM KAUSHAL)**  
**CHAIRMAN (DCT)**

**Appeal No. 012/2025/DCT**

**27.01.2025**

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

**Fresh appeal filed on 27.01.2025. Be checked and registered.**

It is noticed that Vakalatnama of Sh. Sandeep Kumar executed by one Sh. Deeraj Goel is not supported by any authority or a resolution passed by the society.

Adjourned to 28.01.2025.

**NAROTTAM KAUSHAL)  
CHAIRMAN (DCT)**