

GOVT. OF NATIONAL CAPITAL TERRITORY DELHI
IN THE COURT OF THE REGISTRAR COOPERATIVE SOCIETIES
OLD COURT BUILDING, PARLIAMENT STREET, NEW DELHI-110001

F.No.47/0012/GH/Coop/Review /4034-40

Dated: 14/8/25

ORDER

IN THE MATTER OF:

EX – MC of Sarvpriya Apartment CGHS..... Petitioner

This order shall dispose of the review application, filed by Mrs. Indu Dang & Ors u/s 115 (1) of DCS Act 2003 to review the order dated 07.04.2025 passed by then ARCS thereby appointed Sh. Soran Singh Retd Adhoc DANICS as administrator under section 35(5) of DCS Act 2003.

The applicants, Mrs. Indu Dhang (Ex – President), Vinod Garg (Vice President), Mrs. Jeet Puri (Ex- Secreterary) & Ajay Fotedar (Treasurar Ex- Mc) have filed the instant application for review of order dated 07.04.2025 passed by the Assistant Registrar of Cooperative Societies under Section 35(5) DCS Act 2003 in the matter of Sarvpriya apartment CGHS Ltd. whereby the then ARCS had ordered as under:-

And whereas, the Ex-Secretary of the Managing Committee of the society vide letter dated 10.12.2024, informed that the 04 members out of total 08 elected members of the Managing Committee of the society have simultaneously resigned, and the present President has not completed one year as member of the Society at the time of election of the MC

And whereas, the Managing Committee was not left with the required strength in accordance with the Clause no. 23(i) of the Model Bye Laws of the society to run the affairs of the society.

And whereas, as per Rule 23(i) of Model Bye-laws of RCS the Elected Managing Committee shall consist of at least 05 members of the Society and not more than 15, over the age of 21 years including a President and Vice President.

Now, therefore, I, the undersigned, hereby convey the approval of the Competent Authority to appoint Sh. Soran Singh, Retired Adhoc-DANICS as Administrator under Section 35(5) of DCS Act, 2003 for the period of 90 days from the date of issue of this order to manage day to day affairs of the society and also to conduct the elections in the society.

The Administrator shall draw a sum of Rs. 10,000/- (Rs. Ten thousand only) per month as honorarium along with the conveyance charges and election expenses out of the funds of the society.

862/IT cell
19/09/2025 It is relevant to read the provisions of DCS Rules, 2007 which govern the review application under DCS Act & Rules. In this regard, Rule 157(1) of DCS Rules 2007 states as under:

Every application under sub-section (1) of section 115 shall be in the form of a memorandum setting forth concisely and under distinct heads the new and important facts which, after the



exercise of due diligence, were not within the knowledge of the applicant or could not be produced by him when the order against whom review is preferred, was made or mistakes or errors apparent on the face of the record of other reasons for review. A memorandum of evidence shall accompany it.

The perusal of grounds stated in the application filed by Mrs Indu Dang & ors. reveals that the applicants are Agrieved by the order dated 07.04.2025 however, the applicants failed to point out discovery of any new and important matter of evidence, which after the exercise of due diligence was not within the knowledge of the applicant or could not be produced by them at the time when order was made or that there has been some mistake or error apparent on the face of the record, or for any other sufficient reasons.

In this regard, Hon'ble Supreme Court while deciding civil appeal No 4548/2009 titled Inderchand Jain Vs Motilal, while deciding the issue of jurisdiction of a court and/or the extent thereof to review its own decision has observed as under :-

"It is beyond any doubt or dispute that the review court does not sit in appeal over its own order. A re-hearing of the matter is impermissible in law. It constitutes an exception to the general rule that once a judgment is signed or pronounced, it should not be altered. It is also trite that exercise of inherent jurisdiction is not invoked for reviewing any order.

Review is not appeal in disguise."

In the instant case the applicants Mrs. Indu dang & Ors have failed to point out any new fact, which was not in the knowledge of the Registrar of Cooperative Societies when the said order dated 07.04.2025 was passed by him. Instead the applicants have appealed against the said order in garb of review application.

In view of above mentioned facts and circumstances, I am of the considered opinion that the review application filed by , Mrs. Indu Dhang (Ex – President), Vinod Garg (Vice President-), Mrs. Jeet Puri (Ex- Secreterary) & Ajay Fotedar (Treasurar Ex- MC) for review of order dated 07.04.2025 passed by then ARCS in the matter Sarv Priya Apartment CGHS is not maintainable u/s 115 of DCS Act, 2003 read with Rule 157 of DCS Rules, 2007. Accordingly, the review application filed by is hereby dismissed.



14/8/25
Krishna Kumar Singh IAS
REGISTRAR COOPERATIVE SOCIETIES

1. Mrs. Indu Dang Sarvpriya Apartment CGHS Sarv priya Vihar New Delhi-110016.
2. Vinod garg Sarvpriya Apartment CGHS Sarv priya Vihar New Delhi-110016.
3. Mrs. Jeet Puri Sarvpriya Apartment CGHS Sarv priya Vihar New Delhi-110016.
4. Ajay Fotedar Sarvpriya Apartment CGHS Sarv priya Vihar New Delhi-110016.
5. ARCS GH -07.
6. ARCS IT- Cell .
7. Gaurd File.