

**OFFICE OF THE REGISTRAR CO-OPERATIVE SOCIETIES
GOVT. OF NCT OF DELHI, OLD COURT BUILDING
PARLIAMENT STREET, NEW DELHI -110001**

F.No. Addl.RCS/CD No.-107636860/ 2021/2389-2392 Dated: 30/03/2021

ORDER

This is to dispose off the Review Petition under section 115 of the DCS Act, 2003 against the order dated 16/02/2021 passed by Addl. RCS may be reviewed and the same may be set aside in the interest of justice.

2. The Petition has been filed on 10/03/2021 to review the same order dated 16/02/2021.

3. By this Review Petition, the Petitioner has requested to decide the cases of 6,003 (Six thousand three only) members disqualify to be member of the Delhi Nagrik Sehkari Bank Ltd. on various grounds with immediate effect vide order no. 2239-41 dated 16/02/2021.

4. **The provision of Review is incorporated Under Section 115 of DCS Act, 2003, the provision is transcribed below: -**

“Review”

115. (1) The Government or the Tribunal or the Registrar on the application of any party may review their own order in any case, and pass in reference thereto such order as they think just :

Provided that no such application made by the party shall be entertained unless the Government or the Tribunal or the Registrar, as the case may be, is satisfied that there has been the discovery of new 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 him 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 :

Provided further that no such order shall be varied or revised unless notice has been given to the parties interested to appear and being heard in support of such order.

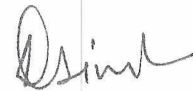
(2) An application for review under sub-section (1) by any party shall be made within thirty days from the date of communication of the order of the Government or the Tribunal or the Registrar.

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5. I have carefully gone through the provisions in respect over the review under section 115 of DCS Act, 2003. Under this provision if any new important matter of evidence has been left, the same should be considered in the review petition. Further, as per records/reports received from the Delhi Nagrik Shekari Bank Ltd., it was noted that the enrolment of members were carried out in violation of Rule 25(4) of DCS Rules 2007, in particular, the amount of membership fee and share money were not deposited within prescribed period of 14 days. As per the provisions contained in Section 41 of the DCS Act, 2003, "The Registrar may on his own motion, if satisfied that any member has incurred any of the disqualification under sub-section (1) of Section 41 DCS Act, 2003, declare through an order in writing that such member is disqualified to be a member". Therefore, proceedings u/s 41(3) of DCS Act, 2003 were initiated in 6165 cases where clear violations in the enrolment of membership had been reported and admitted by the bank in which the order dated 16/02/2021 was passed. The issue of membership has been raised by the Petitioner Bank time and again. Since this is not a new matter of evidence, the review petition does not survive and the same cannot be entertained.

6. In the meantime, the Delhi Nagrik Shekari Bank Ltd has filed a petition/application on 23/03/2021 for withdrawal of review petition filed u/s 115 of the DCS Act, 2003.

7. The review petition is disposed as withdrawn.



(RANJEET SINGH)

ADDL. REGISTRAR OF COOPERATIVE SOCIETIES

F.No. Addl.RCS/CD No.-107636860/ 2021/2389-2392

Dated: 30/03/2021

Copy to:

1. The Chairman, Delhi Nagrik Shekari Bank Ltd., 3-C/5, Opp Liberty Cinema, New Rohtak Road, New Delhi - 110007.

2. PS to Secy.-cum-RCS.

3. ARCS (Bkg.) O/o the RCS.

4. Guard File

5. IT Computer Cell.