

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

F.NO.GH/SEC-8/RCS/COURT/2023/2102 -2107

Dated: 2/9/24

**IN THE MATTER OF:**

Ms. Shakuntla

Petitioner

Versus

1. Shri Kartar Singh Dahiya
2. Shri. R. K. Gupta
3. Mrs. Aradhana Srivastava

Respondents  
Respondents  
Respondents

**ORDER**

This order shall dispose of the proceedings initiated vide Show Cause Notice dated 26.10.2023 issued u/s 118(5) of DCS Act, 2003 read with Section 121 of DCS Act, 2003 whereby Sh. Kartar Singh Dahiya, Sh. R. K. Gupta, Smt. Aradhana Srivastava who were the members of the managing committee of the Society at the relevant time were called upon to show cause as to why prosecution sanction should not be granted against them for alleged offences committed u/s 118(5) of DCS Act, 2003.

The brief facts of the case are as under:-

The complainant is a member of the Venus CGHS Ltd. Paschim Vihar, New Delhi vide Membership No. 199 who has filed a petition u/s 118 of DCS Act, 2003 read with Section 121 of DCS Act, 2003.

The complainant has stated to have deposited Rs. 72908/- to society against receipt No. 017 dated 27.12.2004 on account of loan repayment but the respondents entered only Rs. 7290/- into the account of the complainant and fraudulently siphoned off Rs. 65,618/- by fabricating the records of the societies. The complainant further stated that the respondents not only misappropriated/ siphoned off Rs. 65618/- but also raise false claim against complainant and deliberately obstructed conversion of lease hold flat into free hold by the DDA. Hence, caused loss and legal injury to the complainant. The complainant further requested to call the records of the society and grant

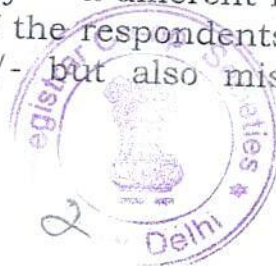


sanction to prosecute the offenders for the offences u/s 118(5) of the DCS Act, 2003.

Sh. Kartar Singh Dahiya, Sh. R. K. Gupta Smt. Aradhana Srivastava submitted their reply dated 09.11.2023 and stated that the allegation made by Mrs. Shakuntla based on receipt No. 017 dated 27.12.2004 is baseless, false and frivolous. The said receipt has been issued in the name of Shri Syed Jamal Hasan, Flat No. 104. The respondents further stated that Smt. Shakuntla is a willful defaulter against whom a case for recovery of outstanding loan is pending in the Delhi Cooperative Tribunal. However, the respondents failed to attend the hearing.

Further, vide notice dated 28.03.2024, the respondents as well as Administrator of the society were directed to produce original/ office copy of receipt No. 17 dated 23.12.2004 and full documents of book No. AB-80, cash book & Loan register for the relevant period. The respondents again failed to appear in this court and submitted a similar reply dated 16.04.2024 stating that the petition filed by the petitioner u/s 118 is not maintainable as the petitioner has filed the same without serving notice to the society office and Managing Committee to rectify the clerical error / discrepancy, if any. The respondents further stated that receipt No.017 dated 27.12.2004 has been issued in the name of Sh. Sayed Zamal Hasan, Flat No.104. However, the Administrator of the Society, Sh. V.K. Rastogi, appeared in the court and produced original record/ office copy of the receipt dated 27.12.2004 for Rs. 72908/-. This amount matches with the bank passbook, office copy of receipt and ledger book. The Administrator also clarified that there is a printing mistake in the receipt book resulting in different receipt numbers on the original and the office copy. For example, in this case, the receipt issued to the applicant is receipt No. 017, while the office copy reflects receipt No. 18. Despite this discrepancy, the contents of both receipts are same/ identical. This clearly indicates that the complainant has deposited the amount of Rs. 72,908/-.

It is pertinent to note that despite being aware of the said receipt no. 017 dated 27.12.2004 issued to Smt. Shakuntla, the respondents deliberately concealed the facts and sent office copy of another receipt. The respondents also failed to attend this court despite repeated summons issued to them. The respondents further tried to mislead the court by forwarding office copy of a different receipt issued to Shri Syed Jamal Hasan. The conduct of the respondents shows that they not only siphoned of the Rs. 65618/- but also mislead the authorities and



harassed the applicant by issuing demand letters on the basis of forged documents.

In view of above facts and circumstances I, Anil Kumar Singh, Registrar of Co-operative Societies hereby grant sanction to prosecute Sh. Kartar Singh Dahiya, Sh. R. K. Gupta Smt. Aradhana Srivastava, earstwhile members of the Managing Committee of the Venus CGHS Ltd. u/s 118(5) of the DCS Act, 2003 read with section 121 of DCS Act, 2003.

Ordered accordingly.



**(Anil Kumar Singh)**  
**Registrar Cooperative Societies**

To

- 1 Sh. Kartar Singh Dahiya, 100, Venus CGHS Ltd. Plot No. 7 (G-17), Paschim Vihar, New Delhi - 110063.
- 2 Sh. R. K. Gupta, 37, Venus CGHS Ltd. Plot No. 7 (G-17), Paschim Vihar, New Delhi - 110063.
- 3 Ms. Aradhna Srivastava, 110, Venus CGHS Ltd. Plot No. 7 (G-17), Paschim Vihar, New Delhi - 110063.
- 4 Ms. Shakuntla, 23, Vindhyaachal Apartment, Rohtak Road, Paschim Vihar, New Delhi-110063.
- 5 Administrator, Venus CGHS Ltd. Plot No. 7 (G-17), Paschim Vihar, New Delhi - 110063.
- 6 Guard File
7. Computer Cell with request to upload one order in department website.