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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 1320/2016 and CM No. 5773/2016

AMIT V SINGH

..... Petitioner

Through: Ms Anjna Masih, Adv.

versus

REGISTRAR OF COOPERATIVE SOCIETIES & ORS

... Respondents

Through: Mr Abhishek Gupta, Mr Sumit, Adv for
R-2

Mr Sunil Sabharwal and Mr Chirag Babbar, Adv's
for Respondent No.3 (DCHFC)

Mr Rajiv Ranjan Mishra, Adv for Mr D. Singh,
Additional Standing Counsel for Respondents 1
and 4

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

% **19.02.2016**

The petitioner's grievance is that the Executing Court directed attachment of property in the pretext of enforcing the dues of the respondent which is Rs. 13,21,047/- as on 30.09.2013. Learned counsel contends that the petitioner's submissions with respect to timely payment of amounts in compliance with the previous order have not been taken into account.

The petitioner was aggrieved by an award which had fixed his liability towards the amounts due and payable by the Society. He is a

member to the Delhi Cooperative Housing Finance Corporation Limited which had lent monies to the Society. Aggrieved by the award which had made him liable, he approached the Tribunal which declined the relief. W.P.(C) No. 9032/2007 was filed and the same was disposed of on 06.12.2010. It is the petitioner's contention that the correct amounts due and payable were deposited before the disposal of the writ petition. This Court notices that the petitioner has availed the remedy of revision and that revision petition is pending before the Financial Commissioner. In these circumstances, it would not be appropriate to decide the issue. At the same time, the Financial Commissioner shall consider all contentions by the writ petitioner, including the submission that whatever was due had been deposited in time and no further amounts are payable.

The writ petition is disposed of in the above terms.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

FEBRUARY 19, 2016

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