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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 12370/2018 & CM APPL. 48027-48028/2018**

THE DELHI STATE COOP. BANK LTD. Petitioner
Through: Mr. Rakesh Munjal, Sr. Adv with Mr.
Raghav Nagar and Ms. Yashika
Munjal, Adv

versus

FINANCIAL COMMISSIONER AND ANR. Respondent
Through: Mr. Ramesh Singh, Standing Counsel
with Mr. Chiraya Jain and Ms. Nikita
Goyal, Adv

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

% **19.11.2018**

Issue notice. Mr. Singh accepts notice on behalf of the respondents. The petitioner has raised a short grievance in this petition. We have heard learned counsel and, therefore, proceed to dispose of the petition.

On 18.07.2018, the Asst. Registrar (Banking) in the office of the Registrar of Cooperative Societies passed an order under Section 61 of the Delhi Cooperative Societies Act, 2003 directing conduct of inspection in respect of Delhi State Cooperative Bank Limited i.e. the petitioner. This order was premised on a communication dated 09.07.2018 received from JS&CVO Department of Consumer Affairs, Govt. of India, Ministry of Consumer Affairs, Food and Public Distribution, Krishi Bhawan, New Delhi, which contained allegations of serious irregularities in the functioning of the State Cooperative Bank under the chairmanship of Dr. Vijender Singh. The petitioner was aggrieved by this order and preferred a revision petition before the Financial Commissioner, Delhi. This revision petition

was heard and order reserved on 14.09.2018. In the meantime, acting on the order dated 18.07.2018, Sh. P.C. Jain, Director, WCD has been appointed by the Secretary-cum- Registrar as the inspecting officer and a notice dated 16.10.2018 has been served on the petitioner. He fixed the matter for hearing on 23.10.2018. The petitioner also moved an application before the learned Financial Commissioner on 02.11.2018 to seek decision in the matter in view of the aforesaid development, but to no avail. Consequently, the present petition has been preferred by the petitioner.

Learned senior counsel for the petitioner as well as the learned Standing Counsel had both advanced their submissions on merits. However, we do not propose to get embroiled in the said argument for the reason that the matter has already been heard and order reserved by the Financial Commissioner. It would be appropriate that the Financial Commissioner first takes a view in the matter before we make any observation one way or another.

In these circumstances, we dispose of the writ petition with a direction to the Financial Commissioner to pass the orders which are reserved within the next two weeks. During this period, the proceedings in the inspection shall remain stayed.

The petition stands disposed of in the aforesaid terms.

Order dasti under the signatures of the Court Master.

VIPIN SANGHI, J

A. K. CHAWLA, J

NOVEMBER 19, 2018

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