

GOVERNMENT OF NCT OF DELHI
OFFICE OF THE BLOCK DEVELOPMENT OFFICER (SOUTH-WEST)
NEW ROSHANPURA, NAJAFGARH, NEW DELHI - 110043.
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The undersigned was appointed as the INSPECTING OFFICER by the Office of Registrar Cooperative Societies vide Order No.47/799/GH/Sec-8/2023/20-24 dated 30.03.2026, whereby, the undersigned was directed to inspect and verify the authenticity of the issues mentioned in Para 2 of the Order dated 10.03.2026, passed by the Hon'ble Delhi Cooperative Tribunal, in appeal bearing Appeal No.-074/2025 (From Arbitration Case No.- 23/GH/Addl.RCS/Arb/2025-26) titled as "*Talagang Cooperative Group Housing Society Ltd. vs. Seema Agarwal & Asheesh Agarwal*". The said Order dated 10.03.2026 which was sent by the Office of Registrar Cooperative Societies to the undersigned vide letter dated 01.04.2026, is reproduced as under:-

Tribunal with the consent of the Ld. Counsels and the parties present, therefore, desires that disputes raised in the present claim petition with respect to light project, ODIN System Pvt. Ltd., Boundary Wall and Air Conditioner be inquired into w/s.61 of the Delhi Cooperative Societies Act, 2003."

In pursuance of the abovementioned order, on 24.04.2026, the undersigned issued one letter to the President/ Secretary of the Society with copy to Ms. Seema Agarwal and Asheesh Agarwal whereby, the undersigned has directed the Society to submit the details of the Managing Committee from 2019 - 2023, alongwith their postal address and mobile numbers. In the said notice, the undersigned has also directed both the parties to submit the copy of the appeal, reply etc. which they have submitted before the Hon'ble Delhi Cooperative Tribunal in the captioned appeal.

In compliance of the notice dated 24.04.2026, the Society vide letter dated 28.04.2026, has submitted the List of Managing Committee Members from 2018-21 & 2021-24 alongwith Postal Addresses & Mobile Numbers of all MC Members of the said tenure, the copy of the appeal No. 74/2025, titled as "*Talagang Cooperative Group Housing Society Ltd VS. Registrar Cooperative Societies*" running to 511 pages, and the copy of the Order dated 10.03.2026 passed by the Hon'ble Delhi Cooperative Tribunal in the said appeal.

In furtherance, on 02.05.2026, the Undersigned sent one letter to the President/Secretary, Talagang CGHS Ltd. & to Ms. Seema Agarwal, Sh. Asheesh Agarwal, with a direction to deliver the notice to all the Managing Committee Members for Year 2019-2023, through Speed Post/Personal Email or Whatsapp. By the notice dated 02.05.2026, all the Managing Committee Members of 2019-2023, were directed to submit their response with respect to issues, "*Light Project*", "*Odin System Pvt. Ltd.*", "*Boundary Wall*" and "*Sale of Air Conditioners*".

On 10.05.2025, detailed inspection proceedings were held in the Society office at around 2:00P.M. On the same day, the Society has submitted the acknowledgements of Notice dated 02.05.2026, which were delivered by the Society to the Managing Committee Members as directed by the undersigned.



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On 10.05.2026, the Manager of the Society also handed over the NINE SEALED COVER REPLIES, submitted separately by Sh. Satish Bansal, Sh. Vinay Bhushan Sharma, Sh. Mohan Lal Khanna, Ms. Jyoti Bansal, Ms. Rupan Bansal, Mr. Rajesh Garg, Mr. Raj Kumar Singhal, Mr. Prem Chand Gupta and Mr. Balbir Singh.

Ms. Seema Aggarwal & Mr. Asheesh Agarwal, were given ample opportunity to submit the documents and to address oral arguments/ submissions for a lengthy period to their utmost satisfaction. During proceedings, Ms. Seema Agarwal has submitted her detailed reply which was submitted by her in the Hon'ble Delhi Cooperative Tribunal (in the Captioned Appeal – 74/2025). She also submitted the Report (running into 157 pages) of January 2024, submitted by Sh. Naveen Katarya, the then Administrator cum Returning Officer, appointed in the Society by the Office of Registrar Cooperative Societies and also submitted reply which was filed during the arbitration proceedings. Apart from the above mentioned documents, Ms. Seema Agarwal also submitted one reply in SEALED COVER, and after opening the same, it revealed only the two pages signed by Ms. Seema Agarwal, having five documents has been submitted by Ms. Seema Agarwal, which include the reply dated 05.06.2025 submitted by Sh. Asheesh Agarwal in arbitration case, alongwith one page of detail of Managing Committee of 2018-2021 and 2012-2023 and also submitted the copy of the Order dated 06.08.2025 passed by the Learned Additional Registrar, Office of RCS alongwith Copy of the Order dated 10.03.2026 passed by the Hon'ble Delhi Cooperative Tribunal in the captioned appeal.

Sh. Asheesh Agarwal also submitted his reply in a Sealed Cover and after opening the same, it revealed that only the two pages of the reply alongwith the order passed by the Learned Additional Registrar and Hon'ble Delhi Cooperative Tribunal, in the captioned cases as mentioned above.

During the proceedings on 10.05.2025, Sh. Jaidev Agarwal (MC Member 2021-2023), Sh. Inderjeet Aneja (MC Member 2018-2021 and 2021-2023), Ms. Seema Singhal (MC Member 2021-2023), Sh. Ashok Kumar Bhatia (Vice President 2021-2023), Ms. Jyoti Bansal (MC Member 2018-2021), Sh. Vinay Bhushan Sharma (MC Member 2018-2021 and 2021-2023), Ms. Seema Agarwal (President 2018-2021 and 2021-2023), Sh. Asheesh Agarwal (husband of Seema Agarwal), orally made their brief statements, which were duly recorded in the proceedings dated 10.05.2025.

Sh. N. K. Jain, after receipt of the notice dated 02.05.2026 on Whatsapp by the Society, also appeared (being one of the Member of the Society and also a part of Inquiry Committee) and submitted one report generated after the internal inquiry conducted by the said Inquiry Committee as submitted by him, which was prepared in compliance to approval granted by all members in SGBM dated 23.06.2024 and accepted in AGBM 2024 with recommendations for recovery of embezzled funds from ex-president Ms. Seema Agarwal. The said report was taken on record.

Sh. Rajesh Garg, President of the Society also submitted detailed reply alongwith some more documents supporting his case. On the direction of the undersigned, some of the original records like Vouchers, Bills, Minutes of Managing Committee Meetings Registers, and General Body Meeting Registers were also made available in original to the undersigned for the purposes of present inspection proceedings.

Apart from the documents as filed with the pleadings which are mentioned above, the following records were produced by the Society and the same were duly examined during inspection proceedings:-

- Managing Committee Minutes Register (relevant period from 2019 to 2023)


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- General Body Minutes Register (relevant period from 2019 to 2023)
- Bills and vouchers pertaining to works executed pertaining to four issues and during relevant period from 2019 to 2023, and also included Account statements and payment details, Cheques /NEFT / RTGS records.
- Photocopies of vehicle entry register.
- Relevant correspondence made by Society with Ms. Seema Agarwal and others, along with copies submitted to RCS for records and appropriate actions.
- Clarification Letter issued by Axis Bank dated 04.09.2024
- Inquiry report submitted by Sh. N. K. Jain.
- Letters issued by various Resident/Members whereby enquiries were made about spending on light project/Balance Sheet to be placed in AGBM to be held in Sept.2023.

All the above records / documents were made available for inspection related to misappropriation of funds in four issues:

FACTUAL MATRIX OF THE COMPLAINT:

Upon consideration of all the documents submitted by the Society, which include copy of the appeal No. 74/2025, copy of the reply of the appeal (submitted by the Ms. Seema Agarwal), copy of the reply in arbitration case submitted by the Ms. Seema Agarwal, copy of the report of Sh. Naveen Katariya submitted by Ms. Seema Agarwal and copy of the reply submitted by all the Managing Committee Members 2019-2023 including one Sh. N. K. Jain (not the part of the Managing Committee), the main part of the inspection are targeted in four specific heads, as also enumerated in the Order dated 10.03.2026 passed by the Hon'ble Delhi Cooperative Tribunal, which are:-

- i. *LIGHT PROJECT*
- ii. *ODIN SYSTEM PVT. LTD.*
- iii. *BOUNDARY GRILL WALL*
- iv. *SALE OF SPLIT AIR CONDITIONERS*

i LIGHT PROJECT:

After perusing the appeal from page (E to O), the undersigned has briefly summarized the facts that on 26.09.2021, (during the Presidentship of Ms. Seema Agarwal) in the General Body Meeting, Rs.5,00,000/- Estimated Cost of Synchronization And Replacement Of Common Light, was proposed and approved. Subsequently in the Managing Committee Meeting on 31.07.2022, a three member committee was constituted, which consists of Late Sh. Sharad Poddar (the then Treasurer), Sh. Asheesh Agarwal (Husband of Seema Agarwal) and Sh. Satish Bansal (Managing Committee Member 2021-2023) for planning, procurement and execution of the light project in the Society and without approval of the General Body Meeting, a approximate budget of Rs.13,00,000/- to Rs.15,00,000/- was sanctioned for first phase of light project, though earlier only Rs.5,00,000/- was approved in the General Body Meeting as mentioned above.


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It is the allegation of the Society that in the agenda notice dated 06.09.2022 for the General Body Meeting held on 25.09.2022, a proposal of expenditure of Rs.12-14 Lakhs for the First Phase of *Light Project* and for Rs.8-9 Lakhs for the Second Phase of the *Light Project* was mentioned, however, the same was not approved in the General Body Meeting dated 25.09.2022.

It is further alleged that on 11.09.2022, a meeting, constituting of four persons i.e., Ms. Seema Agarwal, Sh. Asheesh Agarwal, Sharad Poddar and Sh. Satish Bansal were held on 11.09.2022, even prior to General Body Meeting dated 25.09.2022, in which the execution of the *Light Project* was approved without approval in AGBM 2022. (Refer Page No. 79 of the appeal)

It is further alleged that the purchase of goods from vendor *M/s. Vivo Solutions* at Faridabad was never approved in any of the Managing Committee Meeting/General Body Meeting and even prior to the General Body Meeting dated 25.09.2022, a payment of Rs.5,00,000/- was made to the *M/s. Vivo Solutions*, that too on 05.09.2022 itself, by the Society. Subsequently though in the General Body Meeting on 25.09.2022, the expenditure of *Light Project* was not passed, despite that, on 27.09.2022, another payment of Rs.7,00,000/- was made to the *M/s. Vivo Solutions* by the Society. (Page No. 77 and 78 of the appeal).

Moreover it is alleged that as per the bill available in the file record of the Society, First Bill by *M/s. Vivo Solutions* was issued on 09.11.2022 (page No.92 of the appeal), however, prior to the issuance of the bill, in September 2022 itself, a payment of Rs.12,00,000/- was paid in advance by the Society, even contrary to the terms of the bill which states that payment to be made 50% in advance and 50% at the time of delivery of goods.

The Society next alleges that all the poles and lights were supplied by the *Devang Solar* in the Society in the year 2022 (pg. no. 135 of the appeal) and MCB was purchased from *JMD* (pg. no. 104-105 of the appeal) and execution and installation of poles were done in the Society on the expenditure of the Society, however, the bill of *M/s. Vivo Solutions* were manipulated, managed and obtained by Ms. Seema Agarwal, Asheesh Agarwal and Late Sh. Sharad Poddar. The Society also disputed the bills (pg. no. 94 of the appeal) on the basis of vehicle Number, because the vehicle registration number shown in those bills are of a vehicle which is Mahindra Bolero, in which 5 meters light pole neither can be loaded nor can be delivered.

With regard to the Second Phase of the *Light Project*, the Society alleges that the poles and light were procured from *M/s. Anant Solutions* at Ghaziabad, which delivered the poles to the *M/s. Odin System Pvt. Ltd.*, in the Society, through vehicle No. DL1LAF 3143 as the entry of the said vehicle on 09.03.2023 is duly reflected in the Entry Register maintained by the Society, where the number of the vehicle is duly noted. The Society further referred to Bill (Bill No. AS/22-23/023 dated 09.03.2023 amounting to Rs. 1,74,611/-), issued by *M/s. Anant Solutions* in favour of *M/s. Odin System Pvt. Ltd.* (Refer Page no. 146 of Appeal). Subsequently, again the installation work was completed on the expenditure of the Society and two bills, both dated 31.03.2023, were managed, manipulated and obtained from the *M/s. Vivo Solutions*. The Society has further alleged the manipulation of the E-Way bills by asserting the fact that on 31.03.2023, First E-Way Bill mentions the dispatch of the goods at 05:47 P.M. via the vehicle bearing No. DL1LAG4211 from Faridabad, (page No. 156 of the appeal) and similarly, the Second E-Way Bill, which mentions the timing of dispatch of goods at: 6:37PM (page No. 152 of the appeal) through the same vehicle bearing No. DL1LAG 4211, from Faridabad itself. The Society further alleged that even the HSN code in the Tax Invoice dated 31.03.2023 is 610510 is


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pertaining to *CLOTHING* and do not pertain to *DECORATIVE POLE* which is product purchased by society, which proves that all the bills of the *M/s. Vivo Solutions*, were managed, manipulated and obtained and were placed in the Society's Accounts with the intention of embezzlement of funds.

Moreover, the Society further alleges that as one of the Bill issued by *M/s. Anant Solutions*, in favour of *M/s. Odin System Pvt. Ltd.* was discovered by the then one of the member of the Society and the photograph of the Entry Gate Registry of the vehicle was also taken by him, in which the articles delivered by the *M/s. Anant Solutions*. The Society alleges that it is because of such reason, the said Entry Register has been shown to be misplaced/untraceable by Mr. N.D. Gupta, Manager of the Society by his statement dated 15.03.2024 (pg. no. 500 of the appeal). The Society further gone to the extent of seriously alleging destruction of evidence by Ms. Seema Agarwal, Ex-President, just to cover up her wrongful deeds during her tenure.

Ms. Seema Agarwal and Sh. Asheesh Agarwal, have submitted their reply to the appeal as well as reply to the claim petition and orally asserted that issue of the *Light Project* is already inquired in detailed by the then Administrator cum Returning Officer Sh. Naveen Katariya and in support they have submitted the detailed report of Sh. Naveen Katariya.

All the other members namely Sh. Jaidev Agarwal (MC Member 2021-23), Sh. Inderjeet Kaur Aneja (MC Member 2018-21; 2021-23), Ms. Seema Singhal (MC Member 2021-23), Sh. Ashok Kumar Bhatia (Vice President 2021-23), have submitted their replies and also deposed orally on 10.05.2026, that the entire decision was taken by the Managing Committee and all the expenditure was duly audited. Even, Sh. Ravinder Nath Seth, Member (MC Member 2021-23) had sent one WhatsApp message to the undersigned stating in substance that the entire decision was taken by the Managing Committee and the expenditure made were duly audited subsequently.

Ms. Jyoti Bansal (MC Member 2018-21) had submitted her reply and had also deposed orally that she has no information to all the issues as raised in the present inspection proceedings.

Sh. Vinay Bhushan Sharma (MC Member 2018-21 & 2021-23) had submitted a vague reply and orally asked to settle the issues.

Sh. Mohan Lal Khanna (MC Member 2018-21) & Mr. Prem Chand Gupta (Vice-President 2018-21) submitted their replies stating that no transaction relating to light project, boundary wall and air conditioners sale, were done in their tenure.

Sh. Raj Kumar Singhal (MC Member 2018-21) also filed his reply in which he stated that he had resigned from the MC in the September 2019 itself and that no transactions relating to light project, boundary wall and air conditioners sale, were done in his tenure.

Ms. Rupan Bansal (MC Member 2018-21; 2021-23) had submitted her reply wherein she had supported the case of the Society.

Sh. Rajesh Garg, (MC Member 2018-19) also filed his reply in which he stated that he had resigned from the MC in the November 2020 itself and that no transactions relating to light project, boundary wall and air conditioners sale, were done in his tenure.

Sh. Satish Bansal (MC Member 2021-23) also filed his reply in Hindi Language, in which he affirmed that he was the part of the Three Member Committee alongwith Ms.


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Seema Agarwal and Late Sh. Sharad Poddar. He further confirmed that he had attended only one meeting was held in which Ms. Seema Agarwal was also present. He further stated that after this meeting, no further meeting was held and even the oral suggestions given by him in the said meeting were not accepted, due to this reason, he had separated himself from the Committee, and thereafter no meeting was held.

Sh. Balbir Singh, (Secretary 2018-21; 2021-23) also filed his reply in which he stated that, although he was the Secretary of the Society, but the entire *Light Project* was looked after by the Three Member Committee {late Sh. Sharad Poddar, Ms. Seema Agarwal, Sh. Asheesh Agarwal} and the payment which was made by the Society under the signature of Ms. Seema Agarwal & Late Sh. Sharad Poddar, except one cheque which was signed by him due to unavailability of Late Sh. Sharad Poddar at that point in time. He further averred that only the progress was intimated to the management Committee, by Late Sh. Sharad Poddar without disclosing the expenditure part.

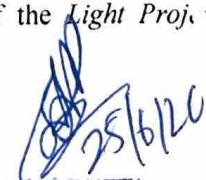
To counter the submissions made by Ms. Seema Agarwal, Mr. Rajesh Garg, the President of the Society has filed a Reply dated 10.05.2026, wherein it was asserted with regard to the report of Sh. Naveen Katariya that, the same is not relevant in any manner in the present proceedings and even otherwise, *vide* a letter dated 06.05.2024 filed alongwith reply (which is also at pg. no. 493-494 of the appeal) wherein Sh. Naveen Katariya mentioned that he never submitted any inquiry report. Mr. Garg, further submits that there is no specific denial of any of the allegations levelled by the Society in the appeal and only simply averments are there regarding the expenditure that were done with the approval of the entire Managing Committee and all the payments that were made through cheques/RTGS and subsequently all the expenditure were passed in the Managing Committee. He lastly submits that no evidence has been produced by Ms. Seema Agarwal, to controvert the allegations levelled on her.

ANALYSIS AND FINDINGS

I have gone through the General Body Minutes dated 26.09.2021 in which, Rs.5,00,000/- was approved and subsequently in any of the General Body Meetings held in the Society, expenditure of the *Light Project* was never approved, though the same was part of the Agenda Notice dated 06.09.2022. I have also gone through the Minutes of the MC Meeting dated 31.07.2022 (page No.30 of the appeal), in agenda No.1, i.e., Discussion About the Light Project was mentioned and was discussed. It would be relevant here to reproduce the contents of the minutes, which are as under:-

"Members were appraised with the initiation of the lighting project by Mr. Sharad Poddar. It was also discussed that a committee of Mr. Satish Bansal, Mr. Asheesh Agarwal and Mr. Sharad Poddar has been constituted to oversee the planning, procurement and execution of the lighting project. It was further discussed that first phase of the project is going to be executed first which includes the illumination of the outer periphery of the Society. The approximate budget of Rs.13 to 15 Lakh was also sectioned for the first phase of the project. The members took note of the same and approved."

From the Minutes of the MC Meeting dated 31.07.2022, it is apparent that without the approval of the General Body, the Managing Committee was appraised by the then Treasurer Late Sh. Sharad Poddar, about the initiation of the *Light Project* with the


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approximate budget of Rs. 13-15 Lakhs. Subsequently, the same was mentioned in the Agenda Notice dated 06.09.2022 for the General Body Meeting to be held on 25.09.2022 (page No.70 of the appeal). However, in the General Body Meeting dated 25.09.2022, no approval as such was given by the General House (page No.80 of the appeal).

Further during the inspection, the original letter dated 11.09.2022, was also seen by the undersigned from the available records. From the said letter, it is apparent that Ms. Seema Agarwal, Sh. Shard Poddar, Sh. Asheesh Agarwal and Sh. Satish Bansal, has decided to proceed with the *Light Project*, that too even without the approval from the General Body of the Society.

With regards to the original bills issued by M/s. *Vivo Solutions*, account statement of M/s. *Vivo Solutions*, copy of the cheques/ RTGS form of the M/s. *Vivo Solutions* were also submitted by the Society and after inspection of the same, it is apparent that all the payment through RTGS were made under the signature of Late Sh. Sharad Poddar and Seema Agarwal and Sh. Balbir Singh, the details of the RTGS alongwith the signatory is as below:-

Cheque No.	Dated	Amount	Signed by
034009	21.09.2022 (cleared on 23.09.2022)	Rs.5,00,000/-	Ms. Seema Agarwal & Late Sh. Sharad Poddar
035972	27.09.2022	Rs.7,00,000/-	Ms. Seema Agarwal & Sh. Balbir Singh
037783	16.11.2022	Rs.5,00,000/-	Ms. Seema Agarwal & Late Sh. Sharad Poddar
039523	23.12.2022	Rs.6,76,000/-	Ms. Seema Agarwal & Late Sh. Sharad Poddar
042732	07.02.2023	Rs.3,00,000/-	Ms. Seema Agarwal & Late Sh. Sharad Poddar
042644	31.03.2023 (Dishonoured)	Rs.5,37,134/-	
042647	05.04.2023	Rs.5,37,134/-	

Upon examination of the bill/ E-way bill dated 31.03.2023, issued by the M/s. *Vivo Solutions* in the name of the Society, it is apparent that both the bills are having the same vehicle number with timings that are 05:47 P.M. and 06:37 P.M., and it is beyond comprehension as to how the same vehicle can make round trip from Faridabad to Sector-13, Rohini, in short span of time, that too in less than one hour. Hence, the allegations of the Society regarding manipulation of the E-Way bills issued by M/s. *Vivo Solutions* stands substantiated.

Upon examination of the original vouchers *quamation work*, it appears that at several vouchers some overwriting has been done and below the overwriting portion, the word "*pole*" is mentioned.


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I have also gone through the photocopy of the bill issued by *M/s. Anant Solutions* dated 09.03.2023 in favour of *M/s. Odin System Pvt. Ltd.* and also the photocopy of the Entry Register of the Society wherein the same vehicle number i.e., DL 1L AF 3143 is mentioned. Though, the originals are not available with the Society, however, since there is no denial of such allegation either by Ms. Seema Agarwal or Sh. Asheesh Agarwal, over the same, the said allegation of the Society remains unrebutted and appears to be true. It appears that the material was procured from the *M/s. Anant Solutions*, that was subsequently installed in the Society but the bills that were placed in Society's records were procured from *M/s. Vivo Solutions*, thus, the bills dated 31.03.2023 appears to be manipulated.

I have also gone through the Minutes of the Meetings conducted from 31.07.2022 till 31.07.2023, which are almost (8) Meetings in number. After scrutiny of the same, it was discovered that only the progress of the *Light Project* was updated/intimated to the Managing Committee, except in one meeting dated 19.03.2023, in which the expenditure of an amount of Rs. 29.59 Lakhs spent in the *Light Project* was disclosed to the Managing Committee.

It is an undisputed fact that the light project was executed through the committee constituted on 31.07.2022. However, there are no documents / evidences being produced before the undersigned, either by Society or by Ms. Seema Agarwal, about any meeting being held amongst the members of such re-constituted *Light Project Committee*, to oversee the *Light Project*. Hence, responsibility cannot be restricted only to one person. The signatories for release of payment are equally responsible for misappropriation of funds in the *Light Project*.

Mr. Satish Bansal, admitted that he was the part of the Three Member Committee and attended one meeting in pursuance thereof, as is cleared from his signatures over the meeting dated 11.09.2022, whereby without the approval of the General Body, the *Light Project* was initiated. Hence, he cannot absolve himself from his liability by merely denying and on the grounds of subsequent separation from the *Light Project Committee*, that too, without any supporting evidences. As per Rule 44 of the DCS Rules, 2007, President, Vice President, Secretary, & Treasurer, are the persons responsible for maintaining the Account of the Society. Applying the said rule, and from the perusal of the records, it can be safely assumed that the liability for any such acts done during their tenure squarely falls upon the shoulders of these office bearers alongwith the members of Three Member Committee, jointly and severally.

So far as the misplacement/allegation of destruction of the Entry Register is concerned, as there is no credible explanation put forth by Ms. Seema Agarwal, Ex-President, and only the said register, which is having the particulars of the entry qua the vehicle which delivered the articles by *M/s. Anant Solutions* to *M/s. Odin System Pvt. Ltd.* in the Society itself, is missing, the allegation of the Society appears to be having substance and therefore remains unrebutted.

ii **ODIN SYSTEM PVT. LTD.**

Regarding the second issue, the Society alleges that the Ex-President Ms. Seema Agarwal, was involved in having monetary transactions with the Society, in the form of conducting the business through her firm namely *M/s. Odin System Pvt. Ltd.* with the Society, while being the Director of the said company, and had conducted those transactions with the said firm in the capacity of the then President of the Society, without even disclosing the same to the Managing Committee or to the General body of the Society.


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The society further alleges that by her such actions, Ms. Seema Agarwal, in a pre planned manner, by manipulating the bills, had misappropriated the funds of the Society for her own personal benefits, and had thus, acted in absolute violation and contravention of the DCS Act & Rules, 2007.

The society further alleges that as a part of her tactic to gain personal benefits, Ms. Seema Agarwal Ex.President, through *M/s. Odin System Pvt. Ltd.* had raised exaggerated and highly inflated bills of the products that were purchased and installed in the Society, through Ms. Seema Agarwal as the President of the Society at the relevant point in time.

To substantiate their contentions, the Society had filed Company Master Data of the *M/s. Odin System Pvt. Ltd.*, various bills paid by the Society to the *M/s. Odin System Pvt. Ltd.* for various works. The Society has put great emphasis upon the bills issued by *M/s. Odin System Pvt. Ltd.* (Pg. Nos. 301-320 of the appeal).

Ms. Seema Agarwal, Ex.President, has filed her reply in which she has stated that existence of the company was very much in the knowledge of the entire Managing Committee and only with the consent of the Managing Committee, disputed transactions were done with the said company. She further averred that the Society without any evidence has levelled false and frivolous allegations over the bills.

ANALYSIS AND FINDINGS

From the records available on the file, it is discovered that the initially, there were three Bills that were received from the *M/s. Odin System Pvt. Ltd.* was issued on 30.12.2019, 06.10.2020 (pg. No. 302 of the appeal), 21.10.2020 (pg. No. 302 of the appeal) and therein, the address of *M/s. Odin System Pvt. Ltd.* is mentioned as "Plot No.105, First Floor, Mangolpur Kalan, West Delhi - 110085". However, later on, the fourth bill dated 22.01.2021, that was received by the Society from *M/s. Odin System Pvt. Ltd.*, bears a different address of the said firm, and therein it was mentioned as "Plot No.49, House No.663, Sector-13, Neelkanth Apartment, Rohini, New Delhi - 110085".

Significantly, the bills which are dated 15.02.2021, 28.06.2021, 28.09.2021, 30.09.2021, 04.01.2022, 19.02.2022, 12.07.2022, 26.07.2022, 31.01.2023, (pg. No. 306 - 320 of the appeal) issued by *M/s. Odin System Pvt. Ltd.* also bears the same address of *Neelkanth Apartment* only as mentioned above.

Further, it was discovered from further inspection of the records, that the "Plot No.49, House No.663, Sector-13, Neelkanth Apartment, Rohini, New Delhi - 110085", is actually the Residence Address of Mr. Asheesh Agarwal, husband of Ms. Seema Agarwal herself, as it is mentioned on the Order dated 10.03.2026 passed by the Hon'ble Delhi Cooperative Tribunal.

Apart from this, it is further discovered that *M/s. Odin System Pvt. Ltd.* had supplied goods like LED Bulbs, Coffee Tumbler, Flood Lights, Air Fans, MCBs, Heaters, Electrical Spare Parts, Heat Convector, Ceiling Fans. Furthermore, there is one bill dated 28.09.2021 (pg. No. 312 of the appeal), qua the service rendered by the company.

So far as the aspect of involvement of Ms. Seema Agarwal in transactions with the Society, there is no explanation forthcoming by Ms. Seema Agarwal, Ex-President, as to why her own company is involved in such transactions with the Society. Even the fact does not found being mentioned anywhere in various minutes of the meetings held in the Society which are part of record, that even mere the name of the company, i.e., *M/s. Odin System Pvt. Ltd.*, had surfaced before the Managing Committee or the General Body in those meetings.


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Hence, the defense as raised by the Ex-President regarding the knowledge of the Managing Committee about *M/s. Odin System Pvt. Ltd.*, falls foul entirely and remains unsubstantiated.

Another fact which is discovered from the mere examination of the bill dated 30.12.2019 (for supply of 300 LED Bulbs(9W) @ Rs.55/- per piece) & 10.02.2022 (for supply of 609 LED Bulbs(7W) @ Rs.205/- per piece), that there is serious discrepancy in the amounts as charged in the bill, i.e., Rs.55/- & Rs.205/-. The said discrepancy also stems from the fact of another bill dated 12.08.2025 (pg. No. 499 of the appeal) placed on record by the Society, whereby the Society had purchased the LED Bulbs (9W) @ Rs. 42/- per piece, in the year 2025 itself.

It can be said that with the passage of the time, the rates of the LED Bulbs could have reduced, but even the two bills as mentioned above are itself contradictory and therefore point out towards serious manipulation in the rates of the such LED Bulbs, Admittedly, the transactions with the *M/s. Odin System Pvt. Ltd.* in which Ms. Seema Agarwal is the director, who is also enjoying her position as the President of the Society at the relevant point in time. The said position is apparently in disregard and seemingly in contradiction with the DCS Act & Rules.

iii BOUNDARY GRILL WALL

It has been alleged by the Society that pursuant to the AGBM decision dated 25.09.2022, the then Managing Committee headed by Ms. Seema Agarwal, Ex-President, without obtaining prior approval or consent of the Managing Committee and without execution of any formal agreement, has assigned the work to "*Mr. Dharmender Kumar*" Mobile No.- 7982469303, to execute the work, however, there is neither any running bill nor any approval of the bill by any MC member is available in the Society's record.

The Society placed on record the account statement of the Society of the relevant period (pg.No.325 of the appeal),to show that even before the issuance of Agenda Notice on the said aspect, a payment of Rs.5,10,000/- was already paid to *Mr. Dharmender Kumar*, and further tries to substantiate their allegation by submitting that either M/s. Seema Agarwal, Ex-President, has started the work without approval of GBM or Managing Committee or the amount has been misappropriated by her. It is further averred that on 05.12.2022(pg. no. 321 of the appeal), a hand written paper having name of *Mr. Dharmender Kumar* is available in the Society's record whereby *Mr. Dharmender Kumar* has confirmed that he has received Rs. 7,90,000/- and balance Rs. 10,000/- is left out outstanding towards his payment.

It is further alleged that subsequently, in the said letter dated 05.12.2022, a further handwritten remark was made which states that "*Rs. 5,000/- has been paid via Cheque No. 038644 on 06.12.2022*" has been shown as a payment to *Mr. Dharmender Kumar* but strangely one cheque bearing no.042642 dated 31.03.2023(pg.no. 324 of the appeal)amounting to Rs. 1,05,405/- after deduction of TDS of Rs. 1065/- was again issued in the name of *Mr. Dharmender Kumar* under signature of Ms. Seema Agarwal, Ex-President and Late Sh. Sharad Poddar, Ex-Treasurer, for doing an additional work without any information and approval of Managing Committee and also without any supporting documents,which clearly prove that the said amount was also manipulated/misappropriated by the Ex-President Ms. Seema Agarwal.

Ms. Seema Agarwal has filed the reply on this issue before the Hon'ble Delhi Cooperative Tribunal and the Learned Additional Registrar and after going through the


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same, it was discovered that the only explanation that was coming forth is that the payment of Rs.1,05,405/- was paid to Mr. Dharmender Kumar for the additional work.

ANALYSIS & FINDINGS

I have gone through the Letter dated 20.03.2023 given by Mr. Dharmender Kumar (pg. No.323 of the appeal), and only on the basis of the same, a cheque No.042642 dated 31.03.2023 (pg no.324 of the appeal) was issued in the name of Mr. Dharmender Kumar under the signatures of Ms. Seema Agarwal and Late Sh. Sharad P. idar. There is no explanation forthcoming as to what services rendered by Mr. Dharmender Kumar based on which such cheque is issued.

Hence, the allegation of the Society remains un rebutted.

iv SALE OF AIR CONDITIONERS

The Society alleges that prior to Managing Committee Meeting dated 28.05.2023, Ms. Seema Agarwal Ex.President, on 23.05.2023, had already sold out two Air Conditioners, installed in the Society's Basement, for a meager amount of Rs.8,000/- to one of the employee namely Mr. Navneet Singh (Employee in M/s. Odin System Pvt. Ltd.) by forging and fabricating the receipt in the name of "M/s. Worldwide India". The Society further alleges that the other 3 ACs were also purchased by two Managing Committee Members only namely Ms. Seema Singhal & Mr. R.N.Seth.

That controvert the same, Ms. Seema Agarwal in her reply has averred that all the procedural work was done by the entire EX-Managing Committee, and there was complete transparency in the sale of those Air Conditioners.

ANALYSIS & FINDINGS

I have gone through the contents of the Minutes of the Managing Committee Meeting dated 28.05.2023 (pg. no. 348 of the appeal), which is reproduced as under:-

Agenda item No 7: Sale of the Air conditioners and fans installed in the basement

Mrs. Seema Agarwal informed the members that in view of closer of the basement for any activity, the air conditioners and fans installed in the basement may be removed and sell them to the residents or people working with the society. The cost of the Air conditioner was proposed to be fixed at Rs. 8000/- and cost per fan was proposed to be fixed at Rs 500/-. The issue was discussed and approved by the members.

After going through the same, it is patently clear that the sale of those ACs was only restricted to the residents and the people working the Society, however, it is beyond comprehension that, how the sale of those 2 ACs were already made prior to 28.05.2023, i.e., on 23.05.2023.

I have also gone through the receipt bearing No.8457 dated 23.05.2023 (pg. No.356 of the appeal) issued by the Society under the sign of Authorized Signatory on behalf of Society, who is stated to be Mr. N.D.Gupta, Manager at the relevant point in time as informed by Mr. Rajesh Garg, President of the Society. In the said receipt, the payment was received by the Society through NEFT vide Transaction No.-3506100037849242, however, as per the records produced by the Society, i.e., Letter dated 04.09.2024 issued by Axis


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Bank, the bank has clarified that the payment of Rs.16,000/- was received by the Society on 24.03.2023 vide VPA Detail 9971497607@paytm (pg.no. 354 of the appeal). On further enquiry made by the Society regarding the payment details, it was discovered that the said phone number belongs to Mr. Navneet Singh and he is the employee in the company namely M/s. Odin System Pvt. Ltd. as per the Account statement of the M/s. Odin System Pvt. Ltd. (pg. no. 358 of the appeal) where the name of the said Mr. Navneet Singh is reflected.

Hence, it is perceivable that the forging, fabrication and manipulation of the records had occurred at the hands Ms. Seema Agarwal Ex. President or had occurred at her instance.

I have also observed that out of the other 3 ACs, 2 ACs were purchased by Ms. Seema Singhal (as is apparent from the Counterfoil of the Receipt No. 8461 dated 04.06.2023) and 1 AC by Mr.R.N. Seth (as is apparent from the Counterfoil of the Receipt No. 8459 dated 28.05.2023), whilst both of them are Managing Committee members only.

I have also gone through the reply filed Sh.Satish Bansal in which he averred that on the very next date of the meeting dated 28.05.2023, he made telephonic call to Late Sh. Sharad Poddar, but he was informed that all the ACs were already sold out.

From the said fact, it is that the allegations of the Society has credible weightage, though the said two MC members were also residents and are entitled for such offer made by the Society, but the circumstances in which such sale has happened had created serious shadow and doubts over the credibility of such sales being happened in a fair and transparent manner.

From the above noted analysis and findings, the following observations are made as under:-

- a.) The record reveals procedural lapses, lack of transparency, inadequate documentation, and suspected manipulation of bills/vouchers in multiple matters as enumerated hereinabove.
- b.) Transactions with M/s. Odin Systems Pvt. Ltd. indicate conflict of interest and misuse of official position by the Managing Committee Members of the Managing Committee headed by the Ex.President Ms. Seema Agarwal.

Therefore, based on inspection of records, documents, replies, oral submissions, and original registers produced, the allegations raised by the Society in respect of are found to be *prima facie* substantiated.

It is further observed that exact quantification of financial loss cannot be conclusively determined within the scope of present inspection proceedings, as it requires technical valuation and detailed financial scrutiny.

Submitted for kind perusal and further necessary action.



Inspecting Officer



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