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

+ CM(M) 120/2017 & CM Nod.3783/2017

BAL KISHAN GARG Petitioner
Through Mr.Yogesh Tewari, Advocate

versus

THE DISTRICT & SESSIONS JUDGE Respondent
Through

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **02.02.2017**

The difficulty experienced by the petitioner in the present petition is that there has been a direction passed by the concerned trial court on 17.02.2016 for refund of half of the court fee under Section 16-A of the Court Fees Act and the petitioner is unable to get refund of the court fee. Learned counsel submits that the Registry is unable to return the court fee in view of the fact that stamps are of denomination of Rs.25,000/- each and 50% of the stamp duty cannot be returned.

The petitioner approached the trial court with an application under Section 151 CPC but the same was rejected stating that the contention raised in the application can be taken care of between the plaintiff and the officials without any judicial order.

The petitioner is unable to show the applicable rules and procedure followed by the concerned Collector of Stamp regarding the refund of the court fee.

In view of the above, let the petitioner approach the concerned Collector of Stamp for refund of the court fee based on the certified copy of the court fees and order of refund. The Collector of Stamp is directed to process the application and refund 50% of the court fees affixed on the plaint as per law.

With the above direction, the present petition and all the pending applications stand disposed of.

Dasti.

JAYANT NATH, J.

FEBRUARY 02, 2017/v