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

+ **W.P.(C) 5116/2017**

ASHUTOSH SHARMA

..... Petitioner

Through: Mr Saurabh Kirpal, Mr Manohar
Malik, Mr Amit Dhaka and Mr
Devashish Bhaduria, Advocates.

versus

GOVT OF NCT OF DELHI AND ANR

..... Respondents

Through: Mr Rahul Sharma and Mr C.K. Bhatt,
Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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06.07.2017

1. The petitioner has filed the present petition, *inter alia*, praying for a direction to respondent no.2 to decide the application of the petitioner for refund of stamp duty of ₹61,92,000/- paid via E-Stamp Certificate No. IN-DL292653051897800, in respect of a sale deed dated 21.03.2016 (which was subsequently cancelled by this court).

2. The petitioner had entered into a settlement agreement with "Just My Choice Pvt. Ltd." (plaintiff in CS(OS) 436/2016) in respect of the disputes relating to a sale deed dated 21.03.2016, which was the subject matter of that suit. By an order dated 20.12.2016, passed in terms of the settlement between the parties, this court directed that the sale deed dated 21.03.2016 registered with the Office of Sub-Registrar-III, New Delhi, vide Registration No. 2479 in book no.1, Volume No.16393 on pages 9 to 16 be cancelled. In terms of the said order, the parties therein were also at liberty to approach

the Collector of Stamps for refund of the stamp duty paid on the said sale deed and the Collector of Stamp was directed to decide the application/representation in accordance with law.

3. It is stated that in terms of the liberty granted by this Court by the said order dated 20.12.2016, the petitioner filed an application with the Collector of Stamps (respondent no.2) on 13.02.2017 seeking a refund of the stamp duty of ₹61,92,000/- affixed on the sale deed in question.

4. It is stated that the said application is still pending and has not been disposed of.

5. In the aforesaid circumstances, respondent no.2 is directed to consider the petitioner's application in accordance with law and dispose of the same as expeditiously as possible, and in case, within a period of 10 weeks from today.

6. The writ petition is disposed of with the aforesaid direction.

7. Order *dasti*.

VIBHU BAKHRU, J

JULY 06, 2017
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