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

+ **W.P.(C) 8645/2018**

PARVESH KUMAR

..... Petitioner

Through : Mr. A.K. Mishra, Advocate.

versus

GOVT. OF NCT OF DELHI

..... Respondent

Through : Mr. Anjum Javed, ASC for GNCTD
with Mr.Devendra Kumar, Mr.Faran
Ahmed, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **17.08.2018**

1. The petitioner has filed the present petition, *inter alia*, praying as under :

“Issue writ of mandamus & other appropriate writ thereby directing the respondent to refund the value of e-court fees to the petitioner as per law.”

2. It is the petitioner's case that he was proposing to buy an immovable property and, therefore, was required to arrange stamp duty. However, instead of purchasing non-judicial stamp paper, the petitioner has purchased the court fees for the sum of ₹15 lacs. It is stated that the transaction for purchase of the immovable property in question was not consummated and in any event, the petitioner could not have used the court fees for the said purpose. The petitioner sought refund of the court fees, which has not been

processed.

3. The averments made in the petition indicate that the concerned Sub-Divisional Magistrate, Patel Nagar of the Government of NCT of Delhi has found that the e-court fees remains unutilized; however, he is unable to grant the refund for want of orders of the court.

4. Since, there is no dispute that the court fees has not been used, this Court finds no reason why the same should not be refunded. In the circumstances, this Court considers it appropriate to allow the present petition.

5. The respondent is directed to process the petitioner's application for refund of the court fees.

6. The petition is allowed in the aforesaid terms.



VIBHU BAKHRU, J

AUGUST 17, 2018

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