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

+ **CS(OS) 1317/2013**

SUBHASH ARORA

..... Plaintiff

Through: Mr. Aditya Nayyar and Mr. Lavish
Bhola, Advs.

Versus

SHER SINGH YADAV

..... Defendant

Through: None.

CORAM:

HON'BLE MR. JUSTICE RAJIV SAHAI ENDLAW

ORDER

% **29.01.2020**

IA No.1247/2020 (of plaintiff u/S 151 CPC)

1. The applicant/plaintiff in this suit, disposed of as far back as on 18th July, 2019, seeks return of excess court fees paid. It is stated that the court fees was paid according to the amendment to the Court Fees Act, 1870 with effect from 2013 and which has been struck down.
2. On enquiry why the said relief was not claimed on 18th July, 2019, it is stated that it was so realised now only. However, there is no explanation why the counsel was now going through a file which was disposed of six months back.
3. If there is any court fees in accordance with the amendment which has been struck down, is found to be paid, the same less Rs.50,000/- (for default in not bringing up the matter at the appropriate time) be refunded by issuing a certificate to enable the plaintiff to obtain refund thereof.
4. The application is disposed of.

RAJIV SAHAI ENDLAW, J.

JANUARY 29, 2020

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