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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 505/2023**

ASHISH LUTHRA

.....Petitioner

Through: Mr. Kartik Dabas, Ms. Priyanka
Sachdeva and Mr. Yugansh Sharma,
Advocates.

versus

SHRI NARESH KUMAR AND ANR

.....Respondents

Through: Mr Abhimav Singh, Standing Counsel
for GNCTD with Ms. Shivani
Sharma, Adv.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

19.05.2025

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1. *Mr Abhinav Singh* accepts notice on behalf of GNCTD in place of previous counsel *Mr Jawahar Raja*, Advocate. He states that he needs to take instructions in this matter.
2. The issue concerns compliance of order dated 7th December 2022 passed in **WP (C) 12022/2022**, directing the refund of excess stamp duty paid by the petitioner, to be processed within 4 weeks. However, there is nothing on record to suggest any compliance.
3. By order dated 14th May 2024, the following undertaking was given by respondent:

4. Learned counsel appearing for the respondents submits that on account of the discrepancy in the amount claimed by the petitioner and the amount calculated by the respondents, the balance amount could not be refunded to the petitioner. He, thus, submits that in order to resolve the said issue, a meeting with the Sub-Divisional Magistrate ("SDM"), Alipur is likely to be fixed within the next 10 days. He further submits that the balance amount shall also be refunded to the petitioner, within a period of four weeks, after resolving the discrepancy in the calculation.



5. Learned counsel appearing for the petitioner submits that he will accept the calculations made by the respondents and is only seeking expeditious refund of the balance amount of the stamp duty paid by the petitioner.
6. The undertaking given by learned counsel appearing for the respondents is taken on record. The respondents are held bound by the aforesaid statement. It is directed that the balance amount shall be released to the petitioner within a period of four weeks, after resolving the discrepancy in the calculation.
7. With the aforesaid directions, the present petition is disposed of.

4. Despite this, there is nothing positive on record to show any compliance.
5. Accordingly, list on 2nd September 2025
6. *Mr Abhinav Singh* shall take steps to communicate with respondents and ensure that compliance is made within the next 4 weeks and compliance affidavit is filed on record before date fixed with copy to the counsel for petitioner.
7. Copy of petition be supplied to the counsel for GNCTD, at his request.
8. It is made clear that if no compliance is done before the next date, concerned officer shall remain present before the Court.

ANISH DAYAL, J

MAY 19, 2025/sm/bp