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

+ **W.P.(C) 1933/2026**

SUSHIL KUMAR SINGH

.....Petitioner

Through: Mr. Manoj K. Garg, Advocate.

versus

GOVT. OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Shiven Varma, Advocate for R1
and R2.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

11.02.2026

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1. Let the petitioner to file an appropriate application before the respondent no.2 – Collector of Stamp for refund of the court fees of ₹4.5 lakh which according to the petitioner has not been used.
2. Let the concerned authority to also consider the decision dated 02.12.2020 passed by this court in the case of **Krishan Kumar v. The Sub-Divisional Magistrate Rohini & Anr¹**. where in paragraph nos.8 to 10 the court has held as under:

“8. In the present case, the event of charge of collecting court fee has not occurred as the petitioner claims that he did not file the Suit for the purposes of which the e-stamp paper was purchased. Therefore, there was no authority with the State to retain the amount once the petitioner wishes to return the same without it being utilized or spoiled in any manner. Infact, for utilization of the stamp, as noted in Section 30 of the Act, the same has to be cancelled. In such cases,

¹ WP(C) 8221/2020



insistence of the respondent on Court order would also be completely unnecessary. It will lead to unnecessary litigation and pressure on court. The policy of the State has to be to avoid and not encourage the same. The respondent must refund this amount on being satisfied of its non-use.

9. In view of the above, it is directed that the respondent, on being satisfied that the e-stamp paper purchased by the petitioner has remained unutilized, shall refund the amount of Rs.7,45,000/- to the petitioner within a period of four weeks from today.

10. It is noticed that in many other cases, request for refund of court fee wrongly purchased or remaining unutilized, is being denied by the respondent advising the party to obtain court order allowing such refund. It is therefore, directed that in such other cases as well, on being satisfied that the court fee has remained unutilized/unspoiled, the respondent must refund the court fee without insisting on any further court order in this regard.”

3. Granting the liberty to the petitioner and in turn directing the concerned authority to consider the application and leaving all questions open, the petition stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

FEBRUARY 11, 2026

tr/ap