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

+ RFA 212/2024

SAILJA SINGH

.....Appellant

Through: Mr. Rishabh Kapur and Mr. Tanmay
Gupta, Advocates

versus

RAJKUMAR SHARMA@RAJU & ORS.

.....Respondents

Through: Md. Israr Khan, Advocate for R-5

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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20.01.2026

CM APPL. 3724/2026

1. Application under Section 13 of the Court Fees Act, 1870 read with Section 151 CPC has been filed on behalf of the Appellant for refund of the Court fees.

2. It is submitted that Section 13 of the Court Fees Act provides that in case a plaint, which is rejected by the Trial Court is remanded in Appeal, the certificate for refund of the Court Fee or the Memorandum of Appeal may be issued.

3. Reliance is also placed on Nilesh Girkar v. Zee Entertainment Enterprises Limited and Ors, 2025 SCC OnLine Del 9618.

Submissions heard.

4. *Vide* Order dated 12.01.2026, the Order of the learned Trial Court rejecting the Plaint under Order VII Rule 11 CPC has been set aside and the case has been remanded back.



5. In view of the Section 13 of the Court Fees Act, Certificate may be issued for refund of the Court fee annexed on the Memorandum of Appeal.
6. Application accordingly stands disposed of.

NEENA BANSAL KRISHNA, J

JANUARY 20, 2026

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