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

+ **W.P.(C) 6999/2026**

DEEPAK SINGH THAKUR & ANR.Petitioners

Through: Mr. Deepak Singh Thakur, petitioner-
in-person.

Versus

GOVERNMENT OF NCT OF DELHI & ORS.Respondents

Through: Mr. Dhananjaya Mishra & Mr.
Amritesh Mohanty, Advs. for R-1.
Ms. Nidhi Raman, Mr. Akash Mishra
& Mr. Arnav Mittal, Advs. for R-3.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

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20.05.2026

CM No.34388/2026

1. Exemption is allowed, subject to all just exceptions.
2. The Application stands disposed of.

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3. Heard the learned Counsel for the Parties.
4. This Public Interest Litigation has been filed with a prayer to issue a direction to the Respondents for following the codified procedure for refund of court fees for ensuring compliance of the provisions contained in Sections 16 and 16A of the Court Fees Act, 1870 (“Act”).
5. The averments made in the Writ Petition highlight the difficulties being faced by litigants who are seeking refund of court fees either under Section 16 or under Section 16A of the Act. It has been argued by the Petitioner who appears in person and is a practicing lawyer that in absence



of any codified procedure prescribing time bound processes seeking refund of court fees, a litigant has to suffer a lot and it takes a lot of time to persuade the authorities for ensuring refund of court fees.

6. In the aforesaid view of the matter, we are of the opinion that in case any codified mechanism is in place, the same would ease the difficulties being faced by the litigants who are seeking refund of court fees either under Section 16 or under Section 16A of the Act.

7. Section 16 of the Act provides for refund of court fees where the Court refers the parties to the suit to a mode of settlement in terms of provisions contained in Section 89 of the Code of Civil Procedure, 1908 (“CPC”). Similarly, under Section 16A of the Act, which has been inserted by way of a Delhi Amendment on 11.02.2011, refund of court fee on settlement before commencement of hearing is permissible in certain circumstances. Once the law suit brought to the Court is either settled between the parties before hearing or even on a reference to settlement of dispute under Section 89 of the CPC, there is no reason why such a litigant should face difficulties and long time while seeking refund of court fees.

8. In the aforesaid view of the matter, we dispose of the present Writ Petition with a direction to Respondent Nos. 1 and 2 to formulate a policy and issue some codified guidelines / circulars or any other administrative instrument regulating the refund of court fees under Sections 16 and 16A of the Act which shall ease the difficulties being faced by the litigants who seek refund of court fees. The formulation of the said policy shall be made by Respondent No. 1 in consultation with Respondent No. 3.



9. We expect that the said policy shall be formulated by the Respondents expeditiously, say within a period of four weeks from today.
10. We request the learned Counsel representing the GNCTD to communicate this order to the authorities concerned forthwith.
11. The present Petition stands disposed of in the aforesaid terms.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

MAY 20, 2026
'gsr'