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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 with Ms. Priyanka Sachdeva and Mr. Deepanshu Gupta, Advocates.

versus

SHRI NARESH KUMAR AND ANR.

..... Respondents

Through: Mr. Parth Goyal, Advocate for Mr. Jawahar Raja, ASC (C) for respondent no. 1 and 2.
(M): 8003592980
Email: office.jawaharraja@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

14.05.2024

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1. The present petition has been filed alleging willful disobedience of the directions issued vide judgment dated 07th December, 2022 passed in *W.P. (C) No. 12022/2022*.
2. By way of the aforesaid judgment, the respondents were directed to process the application of the petitioner seeking refund of the excess stamp duty paid by the petitioner, in accordance with law, within four weeks.
3. Today, learned counsel appearing for the petitioner submits that the aforesaid judgment has been partially complied with and a voucher for ₹25,35,216/- has been issued in favour of the petitioner towards refund of the excess stamp duty. It is submitted that the said voucher has been credited and the petitioner has already received the said amount. He further submits



that an approximate amount of ₹4,00,000/- is still due and payable to the petitioner.

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.

8. List for compliance on 14th August, 2024.

MINI PUSHKARNA, J

MAY 14, 2024

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