

**(2021) 01 DEL CK 0311**

**In the Delhi High Court**

**Case No :** Civil Writ Petition No. 1168 Of 2021

M/S Yatra Online Private Limited

APPELLANT

Vs

Union Of India & Ors

RESPONDENT

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**Date of Decision :** 29-01-2021

**Acts Referred:**

**Citation :** (2021) 01 DEL CK 0311

**Hon'ble Judges :** Dhirubhai Naranbhai Patel, CJ; Jyoti Singh, J

**Bench :** Division Bench

**Advocate :** Ashwini Chandrasekaran, Harpreet Singh, Suhani Mathur

**Final Decision :** Disposed Of

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## **Judgement**

D.N.Patel, CJ

C.M.No.3286/2021 (exemptions)

Allowed, subject to all just exceptions.

W.P.(C) No.1168/2021

1. This writ petition has been preferred with the following prayers:-

â??(i) Issue a writ of mandamus directing the Respondents (No. 1-3) to refund the amount of INR.2,50,00,000/- illegally collected retained

without the issuance of show cause notice;

(ii) Issue a writ of mandamus directing the Respondents (No. 1-3) grant interest at the rate of 18% on refund of amount illegally collected

and retained, from the date of collection till the date of payment;

(iii) Issue a writ of prohibition restraining the Respondents from initiating any coercive action against the Petitioner till the disposal of the

writ petition.

(iv) Pass any other order(s) as this Hon'ble Court may deem fit and more appropriate in order to grant relief to the petitioner.â??

2. Learned counsel for the petitioner submits that suffice it would be for the disposal of this writ petition, if a suitable direction is issued to respondent

No.3 to treat this writ petition as a representation for refund of an amount of Rs.2,50,000,00/- and the same be directed to be decided in accordance

with law, within a time bound schedule.

3. Having heard the learned counsel for the parties and in view of the limited submission made by learned counsel for the petitioner, we direct

respondent No.3 to treat this writ petition as a representation and decide the claim of the petitioner for refund of the amount as stated in the prayer

clause, in accordance with law, Rules, Regulations and Government Policies applicable to the facts of the case and on the basis of evidence on record,

after giving adequate opportunity of being heard to the concerned parties. Decision shall be taken by respondent No.3 as expeditiously as possible and

practicable. While deciding the claim of the petitioner, respondent No. 3 shall also consider the question of payment of interest on the principal amount,

in accordance with law.

4. With these observations, writ petition is disposed of.