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

+ W.P. (C) 2894/2016

AMIT SAHNI

...Petitioner

Through: Petitioner in person with
Mr.Vaibhav Mishra, Advocate

Versus

UNION OF INDIA & ANR.

...Respondents

Through: Mr.Sanjeev Narula, CGSC for
UOI.

Mr.K.S.Parihar, Adv. with Mr.H.S.Parihar,
Adv. for RBI.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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19.08.2016

1. This petition by way of public interest litigation has been filed seeking a direction to the Ministry of Finance, Union of India and Reserve Bank of India to take appropriate steps for framing guidelines so as to prevent the charging of the alleged unlawful and discriminatory surcharge on the transactions through debit cards/credit cards.

2. It is contended by the petitioner that since no such surcharge is levied in case of payment made in cash, charging of surcharge for payments made through debit cards/credit cards is not only illegal but also discriminatory.

3. Sh.K.S.Parihar, the learned counsel who appeared on advance notice on behalf of respondent No.2/RBI, on instructions, submitted that the issue sought to be raised by the petitioner is already under consideration by the respondents. The learned counsel, therefore, submits that the grounds raised by the petitioner in the present petition will also be taken into consideration while taking a decision on the said issue.

4. The writ petition is accordingly disposed of with a direction to the respondents to consider the contents of this writ petition by treating the same as a representation and take an appropriate decision in accordance with law. The decision taken shall be communicated to the petitioner and in case the issue sought to be raised is not fully redressed, the petitioner is at liberty to file a fresh writ petition.

CHIEF JUSTICE

SANGITA DHINGRA SEHGAL, J

AUGUST 19, 2016

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