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

+ W.P.(C) 11466/2009

BALI RAM SHARMA Petitioner
Through Mr. B.S. Mann & Mr. H. Singh,
Advocates.

versus

LAND ACQUISITION COLLECTOR Respondent
Through Mr. Sanjay Poddar, Advocate.

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA

% **ORDER**
24.09.2009

1. Learned counsel for the petitioner states that after the last date of hearing, TDS certificate has been furnished. It is unfortunate case where the petitioner had come to the Court and spend time, money and engage an advocate due to failure of the respondents to issue TDS certificate. In these circumstances, I deem it appropriate to award cost of Rs.10,000/- to the petitioner, which will be paid by the respondents. Cost of Rs.10,000/- will be sent to the petitioner by cheque through registered post within a period of four weeks. It will be open to the respondents to have an enquiry and recover cost from the officer responsible for the said default.

2. Respondents will also ensure that TDS certificates are issued and sent as per the Income-Tax Act, 1961. In case any further default comes to notice of the Court, action will be taken against the respondents as per

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law and Income-Tax Department will be asked to look into the matter for initiation of appropriate proceedings. It will be the responsibility of the Land Acquisition Collector to ensure that the provisions of the Income-Tax Act, 1961 are complied with. Copy of this order will be also sent to the Divisional Commissioner and Commissioner of Income-Tax (TDS). Commissioner of Income-Tax (TDS) will ensure that the respondents are complying with the provisions of the Income-Tax Act, 1961.

The writ petition is disposed of.

Copy of this order be given dasti to the learned counsel for the respondent.

SANJIV KHANNA, J.

SEPTEMBER 24, 2009
VKR