

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

Civil Writ Petition No.7806 of 2007

Date of Decision: 04.02.2015

M/s Bharat Sanchar Nigam Limited, Ambala Cantt. ..Petitioner

versus

State of Haryana and another ..Respondents

CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MR. JUSTICE B.S.WALIA

Present: Mr. Gurpreet Singh, Advocate, for the petitioner.

Ms. Mamta Singhal Talwar, Assistant Advocate General,
Haryana for the respondents.

RAJIVE BHALLA, J. (ORAL)

Counsel for the petitioner submits that as the petitioner's claims having been accepted and refund having been ordered, the only dispute that remains is, payment of interest on delayed refund. The respondents may be directed to pay interest on delayed payment of refund to the petitioner.

Counsel for the State of Haryana submits that the petitioner's claim for refund has been duly considered and accepted. The prayer for interest is misconceived as the matter was pending adjudication and all amounts due to the petitioner have been refunded.

We have heard counsel for the parties. The only dispute that survives is whether the petitioner is entitled to interest. The claim for interest would involve answer to a question of entitlement

and other disputed questions of fact. The writ petition is, therefore, disposed of with liberty to the petitioner to approach the concerned Excise and Taxation Commissioner by way of a detailed application praying for interest. In case, such an application is filed, it shall be considered and decided expeditiously.

(RAJIVE BHALLA)
JUDGE

(B.S.WALIA)
JUDGE

4.2.2015
VK