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

+ W.P.(C) 3709/2015 & CM 6606/2014

NOKIA SOLUTIONS AND NETWORKS INDIA P. LTD Petitioner
Through : Mr Harpreet Singh Ajmani

versus

DEPUTY COMMISSIONER OF INCOME TAX,
CIRCLE 76,(1) NEW DELHI & ORS Respondents
Through : Mr Kamal Sawhney with Mr Raghvendra Singh
and Mr Shikhar Garg

CORAM:
HON'BLE MR. JUSTICE BADAR DURREZ AHMED
HON'BLE MR. JUSTICE SANJEEV SACHDEVA

% **ORDER**
09.10.2015

On the previous occasion, we had indicated that the bank Guarantee of Rs 5,93,70,740/-, which had been issued by the petitioner in favour of the department, was encashed on 14.04.2015. As per the TRACES report dated 03.09.2015, there appeared to be a total outstanding demand of Rs 1,80,55,200/-. The respondents were required to file a detailed affidavit indicating the manner in which the said bank guarantee amount was adjusted, if at all, against the existing demands. The affidavit was filed yesterday vide diary No. E-532650/2015. It is not on record. However, a copy of the same is given to the learned counsel for the petitioner and we have also seen a copy of the same. The Registry shall place it on record.

We have heard the learned counsel for the parties. It is an admitted position that the bank guarantee having been encashed, there is an excess amount available with the department in contrast to the outstanding demands which have already been adjusted, as

of today. The balance available with the department along with interest, if any, shall be refunded to the petitioner within four weeks from today in accordance with law.

The writ petition stands disposed of.

BADAR DURREZ AHMED, J

OCTOBER 09, 2015
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SANJEEV SACHDEVA, J