

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 940 OF 2015

UNITED SPIRITS LTD. REPRESENTED BY
OFFICER MR.NAVAL KISHORE BHATT. ... Petitioner
Versus
STATE OF GOA, THROUGH THE CHIEF
SECRETARY AND 3 ORS., ... Respondents

Mr. Sudesh Usgaonkar and Ms. R. Pereira, Advocates for the
Petitioner.
Mr. P. Dangui, Additional Government Advocate for Respondent
No.1.

Coram:- F. M. REIS &
K. L. WADANE, JJ.

Date:- 28th January, 2016

P.C.:

Heard Mr. Sudesh Usgaonkar, the learned Counsel appearing for the petitioner and Mr. P. Dangui, the learned Additional Government Advocate appearing for respondent no.1.

2. The above petition inter alia raises a grievance that despite of orders of assessment dated 27/07/2012, 31/03/2010, 29/03/2011, 31/03/2012, 30/03/2013, 27/03/2014, 01/03/2012 which according to the petitioner have become final, the refund of the amounts payable to the petitioner have not yet been passed by the respondent no.4, after obtaining the requisite sanction from the respondent no.2.

3. The learned Additional Government Advocate points out that the

subject matter of the assessment at Exhibit C & D shall be paid to the petitioner within two weeks from today. The learned Additional Government Advocate, however, upon instructions from the respondent no.2, points out that according to the respondents some of the assessment orders have not attained finality which is seriously disputed by Mr. Sudesh Usgaonkar, the learned Counsel appearing for the petitioners.

4. Be that as it may, as the applications filed by the petitioner for refund in terms of the orders referred to in Exhibit A, B, E & F are still pending for consideration by the respondent no.4, we find it appropriate to direct the respondent no.4 to take a decision on such refund applications on the assessment orders referred to at Exhibit A, B, E & F within 3 months from today in accordance with law. The petitioners shall also cooperate to submit any clarifications from the respondent no.4, if so desired, in accordance with law. With the aforesaid directions, the petition stands disposed of. All contentions of parties on merits are let open.

K. L. WADANE, J.

F. M. REIS, J.

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