

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Writ Petition No.16044 of 2015(O&M)

Date of Decision: August 08, 2016

M/s Sawhney Builders SBI Colony

...Petitioner

Versus

The State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU**

Present: Mr.Avneesh Jhingan, Advocate
for the petitioner.

Mr.Jagmohan Bansal, Additional Advocate General, Punjab.

Mr.Sandeep Goyal, Advocate
for respondent No.3.

RAJESH BINDAL, J.

The petitioner approached this Court seeking a direction to respondents No.2 and 3 not to deduct and recover TDS on payment made by respondent No.3 - Bank, to the petitioner for the assessment years 2013-14 and 2014-15. He further submitted that assessment of the petitioner for the aforesaid two years has already been framed and the amount of tax levied has also been deposited.

Learned counsel for respondent No.3 submitted that the Bank has not issued any notice to the petitioner to pay any amount, which may have to be deposited by the Bank after deducting the tax from the amount paid to the petitioner. Hence, the present petition is pre-mature.

Learned counsel for the State – respondents No.1 and 2 submitted that no notice has been issued by the Department to the petitioner.

The matter is being taken up by the Department with the Bank with the allegation that the TDS required to be deducted, was not deducted and deposited by the Bank with the Department.

After hearing learned counsel for the parties and considering the stand taken by counsel for the respondents, as none of the respondents is taking any action against the petitioner, the present petition is disposed of as premature.

(RAJESH BINDAL)
JUDGE

August 08, 2016

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(HARINDER SINGH SIDHU)
JUDGE

Whether speaking/reasoned : Yes/ No

Whether reportable : Yes/ No