

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No. 17019 OF 2015 (O&M)

Date of decision: 23.08.2016

M/s DARCL Logistics Ltd.

.. Petitioner

vs.

The State of Haryana and ors.

.. Respondents

Coram: **Hon'ble Mr. Justice Rajesh Bindal**
 Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Sandeep Goyal, Advocate
 for the petitioner.

Mr. Ankur Mittal, Addl. A.G., Haryana

Rajesh Bindal, J.

The petitioner approached this Court for issuance of direction to the respondents to refund the money, which was recovered illegally by encashment of bank guarantee, furnished by the petitioner, at the time of release of goods, detained during transit.

Learned State counsel submitted that the proceedings initiated against the petitioner under Section 31(6) of the Haryana Value Added Tax Act, 2003 have been finally concluded vide order dated 13.05.2016 and no penalty has been levied against the petitioner. Thereafter, refund has been approved for ₹10,03,778/- with interest ₹1,20,456/-. He, on instruction from Mr. Arun Gaur, Excise and Taxation Officer, Gurgaon (East) further submitted that the amount shall be paid to the petitioner within a period of two weeks.

Learned counsel for the petitioner submitted that in view of the stand taken by learned State counsel, the present petition may be disposed of with liberty to the petitioner to get the same revived, in case, refund is not received.

Ordered accordingly.

(Rajesh Bindal)
Judge

(Harinder Singh Sidhu)
Judge

23.08.2016
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Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No