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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5034/2016

PERSYS PUNJ LLOYD JOINT VENTURE Petitioner

Through: Mr. Vinod Srivastava, Mr. Ravi
Chandhok, Ms. Vartika Sharma, Advocates.

versus

THE COMMISSIONER VALUE ADDED TAX Respondent

Through: Mr. Gautam Narayan, ASC with Mr.R.
A. Iyer, Advocate, Mr. Vinod Kumar, Mr. Vinod
Kumar, VATO, Ward-62

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE VIBHU BAKHRU

ORDER

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27.05.2016

1. Notice. Mr. Gautam Narayan, Additional Standing counsel for the Respondent accepts notice.
2. The short question that arises in this petition concerns the pending refund due to the Petitioner, which ought to have been processed by the Respondent Department of Trade and Taxes (DT&T) in terms of the time limits in Section 38 of the Delhi Value Added Tax Act, 2004 ('DVAT').
3. Mr Narayan, learned counsel for the Respondent does not contest the legal position but points to a practical difficulty of the DT&T being able to process only one refund application in a week. On instructions of Mr. Vinod

Kumar, VATO, Ward-62, who is present in Court, Mr Narayan assures the Court that within a period of two months from today the refund due to the Petitioner will be processed and refund order, including the interest amount due in accordance with law, will be issued to the Petitioner.

4. Placing on record the above assurance of Mr Narayan, the writ petition is disposed of. However, if the above assurance is not adhered to, it will be open to the Petitioner to revive the petition.

S.MURALIDHAR, J

VIBHU BAKHRU, J

MAY 27, 2016
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