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

+ W.P.(C) 11116/2016 & CM No. 43453/2016

IJM (INDIA) GEOTECHNIQUES PVT. LTD. Petitioner
Through: Mr. Rajesh Jain and Mr. Virag Tiwari,
Advs.

versus

COMMISSIONER OF TRADE & TAXES Respondent
Through: Mr. Satyakam and Mr. R.A. Iyer, Advs.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **25.11.2016**

The petitioner submits that despite the order of the Court dated 03.11.2016 the respondents have proceeded to issue notice under Section 59 and orders, on 18.11.2016.

The learned counsel for the respondent, appearing on advance notice, submits that the subsequent notice issued has been recalled and the refund has been permitted. The copies of the letter and the refund order dated 24.11.2016 have been produced and the same are taken on record.

The respondent shall ensure that the amount of refund together with interest indicated in the refund order dated 24.11.2016 is remitted to the petitioner's account within a week. In case of any discrepancy, it is open to the petitioner to apply to the VATO; in such an eventuality the application shall be disposed of within 30 days of

its receipt.

The petition is disposed of with the above directions.

S. RAVINDRA BHAT, J

NAJMI WAZIRI, J

NOVEMBER 25, 2016/kk