

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

CWP No. 19387 of 2016 (O&M)

Date of decision: 06.04.2017

M/s Shapoorji Pallonji & Co. Ltd. Now known as Shapoorji Pallonji & Co. Pvt. Ltd.

... Petitioner

versus

State of Punjab and another

.... Respondent

**CORAM:HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE RAMENDRA JAIN**

Present: Mr. Avneesh Jhingan, Advocate for the petitioner.
Mr. Rajinder Goyal, Addl. Advocate General, Punjab.

AJAY KUMAR MITTAL. J (ORAL)

The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ and direction in the nature of certiorari quashing order AnnexureP-8 dated 20.07.2016 and directing the respondent No.2 to issue refund of ₹ 1, 16, 07, 892/- due to the petitioner for assessment year 2009-10 along with interest. During the course of hearing, on 16.03.2017, learned counsel for the petitioner had handed over original Form VAT-29 for an amount of Rs. 4, 87, 15, 663/- to learned State Counsel. Out of the aforesaid, an amount of Rs. 3, 78, 38, 987/- was refunded whereas Rs. 1, 08, 79, 676/- was withheld.

2. Ms. Anupreet Kaur, ETO is present in court today with the record pertaining to the assessment year 2013-14 in terms of order dated 05.04.2017. She expresses regret for not releasing the amount of

₹ 1,08, 79, 676/- as per order dated 16.03.2017. She gave an assurance to the Court today that in future such type of action shall not be repeated. It was further stated by the officer that the aforesaid amount which was due to the petitioner by way of refund, has been transferred to the account of the petitioner.

3. In view thereof, learned counsel for the petitioner submitted that the present writ petition has become infructuous and may be disposed of as such.

4. Ordered accordingly.

(AJAY KUMAR MITTAL)
JUDGE

(RAMENDRA JAIN)
JUDGE

06.04.2017

kv

Whether speaking/non-speaking: Yes/No

Whether reportable : Yes/No