

CWP No.27290 of 2017

{1}

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

**CWP No.27290 of 2017
Date of decision:30.11.2017**

M/s NKC Constructions Pvt. Ltd.

... Petitioner

Vs.

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MR. JUSTICE AMIT RAWAL**

Present:- Mr. Sunil Chadha, Senior Advocate with
Mr. Sharad Mehra, Advocate
for the petitioner.

AJAY KUMAR MITTAL, J. (ORAL)

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of certiorari for quashing of the letter dated 12.06.2017 (Annexure P-7) issued by respondent No.4 vide which the refund of Cultural Cess had been illegally deducted from the payments of the petitioner-Company.

2. After arguing for some time, learned counsel for the petitioner submitted that he may be allowed to withdraw the present writ petition with liberty to the petitioner to file a detailed and comprehensive representation claiming the refund of cultural cess with respondent No.2 within a period of fifteen days and a time bound direction may be issued to respondent No.2 for deciding the same after affording an opportunity of hearing to the

petitioner in accordance with law.

3. After hearing learned counsel for the petitioner and perusing the averments made in the petition and without expressing any opinion on the merits of the controversy, we dispose of the writ petition by permitting the petitioner to file a detailed and comprehensive representation before respondent No.2 within a period of fortnight from today. In case such representation is filed, the said authority shall decide the same within a period of next one month from the date of receipt of the representation after affording an opportunity of hearing to the petitioner by passing a speaking order in accordance with law.

4. It is further observed that in case the petitioner is found entitled to refund of cultural cess, the same shall be released to it within next one month after passing of the order, in accordance with law.

(AJAY KUMAR MITTAL)
JUDGE

November 30, 2017
savita

(AMIT RAWAL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No