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

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+ **W.P.(C) 4441/2017 & CM APPL 19390/2017**

LS CABLE & SYSTEM LTD. Petitioner

Through: Mr Tarun Gulati, Mr Sparsh Bhargava,
Ms Ishita Farsiya and Mr Vinayak Mathur,
Advocates

versus

COMMISSIONER OF INCOME TAX & ORS. Respondent

Through: Mr Sanjay Kumar and Mr Dileep
Shivpuri, Advocates

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE CHANDER SHEKHAR

ORDER

% **30.05.2017**

1. Learned counsel for the Respondents states, on instructions, that as regards the Assessment Years ('AYs') 2013-14 and 2015-16, the process has already been initiated and the necessary orders will be issued not later than four weeks from today.

2. As far as AY 2016-17 is concerned, it is stated that it is under the jurisdiction of Centralized Processing Centre, Bangalore.

3. Nevertheless, considering that the Assessee has been constantly incurring losses, the TDS already deducted will have to be refunded in any event.

4. The Court in view of the decision of this Court in *Tata Teleservices Ltd. v Central Board of Direct Taxes (2016) 69 taxman.com 226 (Delhi)* directs that the refund order in respect of AY 2016-17 also be issued not later than 6 weeks from today.

5. In case of any non-compliance with the above directions, it will be open to the Petitioner to seek appropriate remedies in accordance with law.

6. The petition is disposed of accordingly.

7. Order *Dasti* under the signature of the Court Master.

S.MURALIDHAR, J

CHANDER SHEKHAR, J

MAY 30, 2017

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