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

+ **W.P.(C) 4738/2017**

M/S MAYUR SANITATION

..... Petitioner

Through: Mr. Puneet Rai, Advocate.

Versus

COMMISSIONER OF TRADE & TAXES & ANR. .... Respondents

Through: Mr. Mukul, Advocate for Mr.  
Siddharth Dutta, Advocate.

**CORAM: JUSTICE S.MURALIDHAR  
JUSTICE CHANDER SHEKHAR**

**ORDER**

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**26.05.2017**

**C.M. No. 20563/2017 (for exemption)**

1. Allowed, subject to all just exceptions.

**W.P.(C) No. 4738/2017**

2. Issue notice. Mr. Mukul, the learned counsel accepted notice for the Respondents. It is pointed out by learned counsel for the Petitioner that as far as the Assessment Year ('AY') 2014-15 is concerned, the C-Form has already been submitted and as far as AY 2015-16 is concerned, the C-Form will be produced within a week from today.

3. The Court clarifies that the DVAT Department will in respect of AY 2014-15 pass the refund order within two weeks. As far as AY 2015-16 is concerned, subject to the Petitioner producing the C Form within one week,

the DVAT Department will in respect of AY 2014-15 pass the refund order within two weeks thereafter. The refund amounts together with the interest thereon will be paid directly into the account of the Petitioner within one week of the issuance of the respective refund orders for AY 2014-15 and 2015-16.

4. As regards the amount relatable to the period of non-submission of C Forms, the undertaking of the DVAT department that such amounts shall be paid forthwith subject to the final outcome of the appeals preferred before the Supreme Court against the order dated 19<sup>th</sup> January, 2017 passed by this Court in W.P.(C) No. 10701/2016 etc. (*Vizien Organics v. Commissioner, Trade & Taxes*) is placed on record.

5. The Court further directs that the DVAT Department will abide by the above timeline. In the event that the Petitioner has any grievance either on account of non-payment of the refund amount together with interest as directed or non-compliance with any of the above directions, it would be open to them to seek appropriate remedies in accordance with law.

6. The petition is disposed of.

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

**S.MURALIDHAR, J**

**CHANDER SHEKHAR, J**

**MAY 26, 2017/‘anb’**