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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 5208/2017

MATHAROO TURNERS

..... Petitioner

Through: Mr. S.K. Khurana, Advocate.

versus

**COMMISSIONER OF TRADE & TAXES
& ANR**

..... Respondents

Through: Mr. Nitish Negi, Advocate.

CORAM:

JUSTICE S.MURALIDHAR

JUSTICE CHANDER SHEKHAR

ORDER

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31.05.2017

CM APPL 22149/2017 (for exemption)

1. Allowed subject to all just exceptions.

WP (C) 5208/2017

2. Notice. Mr. Nitish Negi, learned counsel accepts notice on behalf of the Respondents.

3. Learned counsel for the Petitioner states that as far as periods 2011-12 and 2012-13 are concerned, the details including Form C have already been furnished to the concerned VATO. As far as the period 2013-14 is concerned, learned counsel for the Petitioner states that the Assessee will

produce the requisite C Form before the concerned VATO within one week.

4. It is directed that, in that event, the refund order will be issued within three weeks thereafter and the refund amount be paid directly in the Petitioner's account within one week thereafter.

5. With respect to the amount relatable to the interest pertaining to the period during which 'C' Form was not submitted, the undertaking of the DVAT Department that such withheld amount will be paid subject to the final outcome of the appeals preferred before the Supreme Court against the order dated 19th January, 2017 passed by this Court in W.P.(C) No. 10701/2016 etc. (*Vizien Organics v. Commissioner, Trade & Taxes*) within four weeks from the date of the said order of the Supreme Court is placed on record.

6. The petition is disposed of in the above terms.

S.MURALIDHAR, J

CHANDER SHEKHAR, J

MAY 31, 2017

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