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

\+ **W.P.(C) 6838/2017**

DEEPAK ENTERPRISES ..... Petitioner

Through: Mr.Vikram Aggarwal, Advocate with Ms.Rajni Singh, Adovcate.

Versus

COMMISSIONER,TRADE & TAXES & ANR. ..... Respondents

Through: Mr.Avtar Singh, Advocate.

CORAM: JUSTICE S.MURALIDHAR
JUSTICE PRATHIBA M. SINGH

O R D E R

% **09.08.2017**

C.M.No.28645/2017 (Exemptions)

1. Allowed subject to all just exceptions

W.P.(C) No.6838/2017

2. Notice. Mr. Avtar Singh, learned counsel for the Revenue accepts notice and states that there is no averment in the writ petition regarding furnishing of C-Forms. The learned counsel for the Petitioner, however, maintains that the C-Form has already been furnished. He further submits that without prejudice to the above contention, the Petitioner will produce the C-Forms before the VATO concerned within a week from today.

3. It is accordingly directed that subject to the Petitioner furnishing C-forms within a week from today, the refund order will be issued within two weeks thereafter and the refund amount together with interest accrued thereon shall

be paid directly to the account of the Petitioner within a further period of two weeks.

4. As regards the interest for the period during which the C-Forms are not available, the payment of the amount will be subject to the final outcome of the appeals preferred by the Revenue before the Supreme Court against the order dated 19th January 2017 passed by this Court in W.P.(C) No. 10701 of 2016 etc. (***Vizien Organics v. Commissioner, Trade & Taxes***).

5. In the event that the Petitioner has any grievance regarding non-compliance with the above direction, it would be open to the Petitioner to seek appropriate remedies in accordance with law.

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

S.MURALIDHAR, J

PRATHIBA M. SINGH, J

AUGUST 09, 2017
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