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

\+ W.P.(C) 9955/2017

JASMINDER ENGINEERING WORKS ..... Petitioner
Through Mr. Nitin Gulati, Advocate.

versus

COMMISSIONER, TRADE &TAXES & ANR...... Respondent
Through Mr. Sumer Sethi, Advocate and Ms. Trisha Kadyan, Legal Assistant, GNCTD for R-1 and R-2.

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA
HON'BLE MS. JUSTICE PRATHIBA M. SINGH

O R D E R

% **10.11.2017**

Counsel for the respondents, who appears on advance notice, states that refund has not been paid for want of 'C' Form.

2. Counsel for the petitioner without prejudice to his rights and contentions states that the petitioner would be submitting physical 'C' Form' to the Assessing Officer on any date and time, which may be fixed by the Court.

3. The petitioner or his authorized representative would visit the office of the respondents on 16th November, 2017 at 3 p.m. along with the relevant 'C' Forms and other relevant documents. On the same date itself, the officer concerned would examine the documents and inform the petitioner about the deficiencies, if any. The deficiencies, if any, would be removed and met within a week. The

assessment/refund order would be then either passed within a week from 16th November, 2017 or in case, time is given to cure the deficiencies, within 7 days after the date fixed.

4. We clarify that we have not examined the question of interest, which would be examined by the competent authority and an appropriate order in accordance with law would be passed.

5. There is another issue raised by the petitioner about the failure of the respondents to upload notice under Section 59 (2) of the Delhi Value Added Tax Act, 2004 on the portal. We record that this aspect is being examined in other cases.

6. The writ petition is disposed of in the aforesaid terms, with no order as to costs.

SANJIV KHANNA, J.

PRATHIBA M. SINGH, J.

NOVEMBER 10, 2017
NA/VKR