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IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No.25524 of 2017 (O&M)
Date of Decision: 14.05.2018

M/s Glaxo SmithKline Consumer Healthcare Limited

... Petitioner

Versus

The Assistant Commissioner of Income Tax and another

... Respondents

CORAM:-HON'BLE MR. JUSTICE AJAY KUMAR MITTAL, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Vishal Gupta, Advocate,
for the petitioner.

Ms. Urvashi Dhugga, Senior Standing Counsel
for the respondents.

AJAY KUMAR MITTAL, ACJ.(ORAL)

In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ in the nature of certiorari/mandamus for setting aside and quashing the order dated 17.10.2017 (Annexure P-1) and order dated 27.10.2017 (Annexure P-2) passed by respondent No.1 for Assessment Year 2011-12 and for refund of the amount of ₹54,00,00,000/- illegally recovered from the bank account of the petitioner by respondent No.1 pursuant to the notice dated 27.10.2017 (Annexure P-3) issued under Section 226(3) of the Income Tax Act, 1961.

2. Learned counsel for the Revenue has produced a photocopy of the demand draft No.885649 amounting to

₹54,13,68,290/- (₹Fifty Four Crore Thirteen Lakh Sixty Eight Thousand Two Hundred Ninety only) drawn in favour of the petitioner along with covering letter by the Assistant Commissioner of Income Tax, Circle 4(1), Chandigarh.

3. Learned counsel for the petitioner states that he has no instructions whether the demand draft has been received.

4. In view of the above, we dispose of the present writ petition as having been rendered infructuous as the respondent has produced the photocopy of the demand draft in favour of the petitioner. However, liberty is granted to the petitioner to file an application for revival of the petition in case the demand draft has not been received.

(AJAY KUMAR MITTAL)
ACTING CHIEF JUSTICE

(TEJINDER SINGH DHINDSA)
JUDGE

14.05.2018
vandana

Whether speaking/reasoned Yes/No
Whether Reportable Yes/No