

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP-31460-2018

Date of Decision: 17.12.2018

M/s Global Automotive Components (P) Ltd., Faridabad

...Petitioner

Versus

The State of Haryana and others

...Respondents

**CORAM:- HON'BLE MR. JUSTICE AJAY KUMAR MITTAL.
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.**

PRESENT: Mr. Rajiv Agnihotri, Advocate for the petitioner.

AJAY KUMAR MITTAL, J.

1. In this writ petition filed under Articles 226/227 of the Constitution of India, the petitioner has prayed for issuance of a writ of mandamus directing the respondents to supply the copy of the assessment order and refund the amount along with interest became due vide assessment order dated 28.3.2018 (Annexure P-1) for the assessment year 2014-15.

2. Respondent No.5 vide assessment order dated 28.3.2018 (Annexure P-1) framed the assessment of the petitioner for the year 2014-15. A refund of ₹ 24,75,341/- became due towards the petitioner and the Assessing Officer ordered for issuance of refund voucher of ₹ 24,75,341/-. Accordingly, the petitioner moved applications dated 19.7.2018, 28.8.2018 and 1.10.2018 (Annexure P-2 Colly) to respondent No.5 for refund of the amount along with interest, but no response has been received till date.

3. Learned counsel for the petitioner submitted that for the relief claimed in the writ petition, the petitioner has moved the applications dated 19.7.2018, 28.8.2018 and 1.10.2018 (Annexure P-2 Colly) before respondent No.5, but no action has so far been taken thereon.

4. After hearing learned counsel for the petitioner, perusing the present petition and without expressing any opinion on the merits of the case, we dispose of the present petition by directing respondent No.5 to take a decision on the applications dated 19.7.2018, 28.8.2018 and 1.10.2018 (Annexure P-2 Colly), in accordance with law by passing a speaking order and after affording an opportunity of hearing to the petitioner within a period of two months from the date of receipt of the certified copy of the order. It is further directed that in case the petitioner is found entitled to the amount of refund, the same be released to the petitioner within next one month.

(AJAY KUMAR MITTAL)
JUDGE

December 17, 2018
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(MANJARI NEHRU KAUL)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No