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

+ O.M.P.(EFA)(COMM.) 2/2017 & IA No.4649/2018

SWISS SINGAPORE OVERSEAS ENTERPRISES
PTE LTD.

..... Petitioner

Through: Ms Vanita Bhargava and Mr Aseem
Chaturvedi, Advocates.

versus

SARA INTERNATIONAL PVT. LTD

..... Respondent

Through: Mr Vipul Ganda and Mr Raghav
Kakkar, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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02.05.2018

1. The learned counsel appearing for the respondent states that he is carrying a demand draft for a sum of ₹58.70 lakhs in favour of the Registrar General of this Court. He states that the balance amount has been deducted as withholding tax at the rate of 42%. The learned counsel appearing for the petitioner states that the document provided by the respondent indicating deposit of withholding tax does not indicate the petitioner's PAN number. He further states that the respondent would also be liable for further interest, which is accruing on a daily basis.

2. In order to avoid any further delay, the learned counsel appearing for the petitioner states that the amount of ₹58.70 lakhs plus the withholding tax as offered by the respondent would be frozen, provided that all other formalities for remittance of the amount are completed within a period of

four weeks from today. The respondent shall cooperate with the petitioner for remission of the said amount within a period of four weeks. The respondent shall also take the necessary steps for ensuring that the credit of the withholding tax is made available to the petitioner including by ensuring that the withholding tax is deposited against the petitioner's PAN number. This order has been passed with the consent of the learned counsel for the parties and the directions passed on 07.03.2018 are modified to the aforesaid extent.

3. The petition is disposed of with the aforesaid directions and with liberty to the petitioner to revive the petition, if the payment is not remitted within a period of four weeks from today. The pending application is also disposed of.

VIBHU BAKHRU, J

MAY 02, 2018
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