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

+ **W.P.(C) 7929/2018 & CM APPL. 30395/2018**

SHANTI KIRAN INDIA PVT. LTD.

..... Petitioner

Through: Mr. Varun Nischal, Mr. Arif Ahmed
Khan and Ms. Gauri Grover,
Advocates.

versus

COMMISSIONER TRADE & TAXES & ANR. Respondents

Through: Mr. Anuj Aggarwal, ASC with
Mr. Kanishk Rana, Adv. and
Ms. Trisha Kadyan, Legal Assistant.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MR. JUSTICE A. K. CHAWLA

ORDER

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31.07.2018

Issue notice. Mr. Anuj Aggarwal, Addl. Standing Counsel for the respondents accepts notice.

Petitioner seeks direction for refund of ₹49,84,413/- along with interest. The refund claims are set out in a tabular form, which is reproduced as follows:-

“TABLE-1

<i>S. No.</i>	<i>Tax Period</i>	<i>Amount (in Rs.)</i>	<i>Date of payment/ deposit OR filling of return</i>	<i>Date from which interest is to be paid</i>
<i>1.</i>	<i>Oct 2010</i>	<i>9,87,957</i>	<i>24.11.2010</i>	<i>25.12.2010</i>
<i>2.</i>	<i>Nov 2010</i>	<i>9,75,882</i>	<i>25.12.2010</i>	<i>26.01.2011</i>

3.	<i>Dec 2010</i>	<i>9,40,861</i>	<i>24.01.2011</i>	<i>25.02.2011</i>
4.	<i>4th Qtr 13-14</i>	<i>20,79,713</i>	<i>25.06.2014</i>	<i>26.08.2014</i>
	<i>Total</i>	<i>49,84,413”</i>		

It is further urged that no notice under Section 59 of the DVAT Act is pending in respect of the petitioner's returns and that consequently the said amount of ₹49,84,413/- should be processed and appropriate refund made expeditiously.

Learned counsel appearing for the respondents on advance notice submits that he has instructions to state that the refund claims would be processed. The respondents are directed to process the refund claims and ensure that the amounts are refunded to the petitioner with interest within four weeks from today.

The writ petition is disposed of in the above terms along with the pending application.

S. RAVINDRA BHAT, J

A. K. CHAWLA, J

JULY 31, 2018

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