IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.622 of 2018

Arvind Kumar S/o Late Sukhdeo Diwedi, resident of Raghunathpur, P.S. Saidabad, P.S. Rani Talab, Ditrict Patna.

... ... Petitioner

Versus

1. The Union Of India through the Secretary, Finance Department, New Delhi, New Delhi-110016
2. The Director, CBDT, New Delhi, New Delhi 110016.
3. The Income Tax Officer C P C Bangaluru Karnatka, 560500.
4. The Assistant Commissioner Income Tax Lok Nayak Bhawan Patna.
5. The Income Tax Officer Range 4 Lok Nayak Bhawan Patna.
6. The Manager S B I PUNE Refund Control Unit, Pune.
7. The Income Tax Officer, Ward 4(1), Lok Nayak Bhawan, Patna

… …. Respondents

Appearance :
For the Petitioner/s : Mr. Uday Prasad Singh, Adv.
For the Respondent/s : Mr. Rishi Raj Sinha, Sr.S.C.
Ms. Shilpi Keshri, Jr. S.C.

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 29-07-2019

Heard Mr. Uday Prasad Singh, learned counsel for the petitioner and Mr. Rishi Raj Sinha, learned Senior Standing Counsel for the Income Tax Department.

It is because a refund of the income tax deposit was not forthcoming that the petitioner had to approach this Court and while the stand of the department is that it is because of the laches on the part of the petitioner in furnishing correct particulars which has consumed time, the petitioner has disowned the charge.

It is bearing note of nature of contest that this Court by the order dated 24.6.2019 while recording the relief prayed, allowed the petitioner to approach the concerned Income Tax Officer, who was also arraigned as a party and the said officer was in turn asked to complete the formalities for processing the refund claim.

When the matter came up next on 1.7.2019 learned counsel for the Department informs that the paper work has been completed with cooperation of the petitioner and that the Income Tax Officer would now be processing the refund. A prayer was made for eight weeks' time but considering the nature of the grievance raised, we allowed four weeks' time and that is how the matter is posted today. When taken up Mr. Singh, learned counsel for the petitioner, admits to the steps taken by the Department towards processing of the claim by producing communication received from the Income Tax Officer, Ward No. 4(1), Patna dated 5.7.2019. Learned counsel also admits that he has received intimation from the Central Processing Centre, Bengaluru (hereinafter referred to as 'CPC') as regarding the processing of the claim which has been successfully submitted before the 'CPC'.

According to Mr. Sinha, learned counsel for the Department, once this process is completed, the time, if any, is mere procedural and the refund would be paid shortly.

In such view of the matter, and where the dispute as regarding lack of papers, documents etc. has been resolved under the orders of this Court and the matter has reached the CPC for further action on the claim, we dispose of the matter with an advice to the Department to expedite the same.

Let Zerox copy of the communication received by the petitioner be maintained on records of this case.

With the observations above, we dispose of the writ petition.

(Jyoti Saran, J)

(Partha Sarthy, J)

Anjula/Surendra

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.08.2019
Transmission Date	NA