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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 595/2019**

INDIRA PRINTERS

..... Petitioner

Through: Proxy counsel for Mr.Sumit Wadhva,
Advocate.

versus

UNION OF INDIA & ANR.

..... Respondents

Through: Mr.Anurag Ahluwalia, CGSC for R1.
Mr.Amit Bansal with Mr.Aman
Rewaria, Advocates for R2.

CORAM:
JUSTICE S.MURALIDHAR
JUSTICE I.S.MEHTA

ORDER
14.05.2019

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CM APPL.2674/2019 (exemption)

1. Allowed, subject to all just exceptions.

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2. The counter-affidavit of the Respondent acknowledges that the issue raised by the Assessing Officer, after the CESTAT had allowed the Petitioner's appeal and granted the refund, did not arise for consideration. In that view of the matter, the order dated 26th October 2018 for the period between April 2013 and 31st December 2013 is hereby set aside. The Respondents are directed to now refund amount of Rs.7.8 lacs to the Petitioner within a period of 4 weeks from today.

3. As regards assessment order dated 31st October 2018 for the period from

January to June 2014, the Petitioner is at liberty to avail the statutory remedy in accordance with law. In explaining the period of delay (if any) in preferring the appeal the fact of the pendency of this petition would be taken into account. The petition is disposed of.

S. MURALIDHAR, J.

I.S. MEHTA, J.

MAY 14, 2019 / tr