

**110 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 7596 of 2020 (O&M)

Date of Decision: 01.06.2020.

ASI Industries Limited

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : **Hon'ble Mr. Justice Jitendra Chauhan**
 Hon'ble Mrs. Justice Archana Puri

Present: Ms. Vanita Bhargava, Advocate,
 Mr. Ajay Bhargava, Advocate,
 Mr. Vipul Joshi, Advocate and
 Ms. Shweta Kabra, Advocate,
 for the petitioner.

Mr. Ankur Mittal, Addl. A.G., Haryana.

JITENDRA CHAUHAN.J.(ORAL)

The matter has been taken up through video-conferencing in the light of the pandemic Covid-19 situation and as per instructions.

This writ petition under Article 226 of the Constitution of India has been filed for the issuance of a writ, in the nature of mandamus for directing the respondents to grant the refund of excess tax deposited with the respondents.

Learned counsel for the petitioner states that at this stage she would be satisfied, if a direction is issued to respondent No.3- Deputy Commissioner (Excise and Taxation) to consider and decide the representation dated 12.03.2020 (Annexure P-10) expeditiously.

Heard.

Notice of motion. Mr. Ankur Mittal, Addl. A.G.,
Haryana accepts notice on behalf of the respondents.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.3-Deputy Commissioner (Excise and Taxation) to consider and decide the representation dated 12.03.2020 (Annexure P-10) in accordance with law within six weeks from the receipt of the certified copy of the judgment. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioner is admissible to it, in such eventuality, the consequential relief be allowed to it, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioner is not admissible or made out, in that case, a speaking order be passed in the matter, in accordance with law.

In case the final decision in the matter is not taken within the stipulated period, the petitioner shall have liberty either to file a fresh petition or to revive the present petition.

(JITENDRA CHAUHAN)
JUDGE

(ARCHANA PURI)
JUDGE

01.06.2020.
SN

Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No