

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

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Civil Writ Petition No.19551 of 2020
Date of Decision: November 18th, 2020

M/s HLG Trading, Ludhiana

...Petitioner

Versus

Union of India and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA**

Present: Mr. B. Satish Sunder, Advocate
with Mr. Arpan Sabharwal, Advocate
for the petitioner.

Mr. Saurabh Goel, Advocate
for the respondents.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASIH, J. (ORAL)

Learned counsel for the petitioner states that the claim of the petitioner for the grant of interest, because of firstly wrongly withholding the amount and thereafter disbursing it after a decision by this Court and a direction issued, is pending with the respondents. It is asserted that the claim, which has been projected by the petitioner, is dated 30.09.2020 (Annexure P-10).

Counsel for respondents, on instructions, informs the Court that 26.11.2020 is the date fixed for pre-notice consultation for appearance of the petitioner and putting forth his claim. He further states that if the petitioner wants to put forth any other supplementary submission or any law on that aspect, he may put so before the Deputy Commissioner, Refund, at Ludhiana. He may either appear in person or through video conferencing process. Even the assistance of the counsel may be taken.

Counsel for the petitioner asserts that the pleas have already been taken by the petitioner in his application and along with the writ petition, he has referred to various judgments, which have been passed by the Courts with regard to the interest, which is claimed by the petitioner, which may be taken into consideration by the respondents before deciding the claim of the petitioner as projected in the representation/claim dated 30.09.2020 (Annexure P-10).

In the light of the fact that the matter is already under consideration of the Deputy Commissioner, Refund, Ludhiana, where the petitioner has been called upon on 26.11.2020 for putting forth his claims, if any, in addition to what has been projected by it in its claim petition, we do not want to pass any order at this stage except for directing respondents No.2 and 3 to consider the submissions of the petitioner and also take into consideration the law and the judgments, on which reliance is being sought to be placed by the petitioner in the present writ petition and in case of further submission on 26.11.2020, to pass a speaking order thereon as per the procedure laid down under the statute/rules/regulations.

The decision so taken be conveyed to the petitioner at the earliest.

The writ petition stands disposed of with above directions/observations.

(AUGUSTINE GEORGE MASIH)
JUDGE

November 18th, 2020
Puneet

(ASHOK KUMAR VERMA)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No