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IN THE HIGH COURT OF DELHI AT NEW DELHI

+ W.P.(C) 3464/2020

NEELAM POPLI

..... Petitioner

Through: Mr. P. Roychaudhuri, Advocate

versus

INCOME TAX OFFICER WARD 36(5), DELHI Respondent

Through: Mr. Zoyab Hussain, Sr. Standing
Counsel**CORAM:****HON'BLE MR. JUSTICE MANMOHAN****HON'BLE MR. JUSTICE SANJEEV NARULA****ORDER**

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11.06.2020**CM APPL.12283/2020**

Allowed, subject to just exceptions.

W.P.(C) 3464/2020

The petition has been listed before this Bench by the Registry in view of the urgency expressed therein. The same has been heard by way of video conferencing.

It is pertinent to mention that the present writ petition has been filed by the petitioner seeking a direction to the respondent to dispose of petitioner's rectification application filed on 07th March, 2017 by way of a reasoned order.

Learned counsel for petitioner states that despite various reminders, the respondent has not processed the petitioner's rectification application dated 07th March, 2017. He submits that by not deciding the rectification application for such a long period of time, the respondent has violated Section 154(8) of the Income Tax Act, 1961 and the Citizen Charter.

Issue notice.

Mr. Zoaib Hussain, learned senior standing counsel accepts notice on behalf of respondent. He states that though the rectification in the case of petitioner has already been done on the computer system, yet CPC, Bangalore has sent it back. He further states that ITO, Ward-36 (5), Delhi is ascertaining the reasons and the case shall be decided on first priority. The email dated 11th June, 2020 received by learned senior standing counsel is reproduced hereinbelow:-

“In the Neelam Popli case, the rectification has already been done on system. Effect of that part of tax deposited, which has been found verifiable for the AY concerned, has already been given. After that the issue was sent to CPC for issue of resultant refund. The same was forwarded by the Jt. CIT Sir. But the CPC, Bangalore has sent it back. The reasons are being ascertained. As soon as the same is ascertained, this case will be dealt on first priority.

regards,

ITO, Ward-36(5), Delhi”

Having heard learned counsel for the parties, present writ petition is disposed of with a direction to the respondents to decide the petitioner's rectification application dated 07th March, 2017 within one month from today.

The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through e-mail.

MANMOHAN, J

SANJEEV NARULA, J

JUNE 11, 2020

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