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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ W.P.(C) 3724/2020

KNOWLARITY COMMUNICATIONS
INDIA PRIVATE LIMITED ..... Petitioner

Through: Mr. Rohit Madan with Mr. Amol Sinha, Mr. Nitin Gulati, Mr. Ashvini Kumar and Mr. Kshitiz Garg, Advocates

versus

ASSISTANT COMMISSIONER
OF INCOME TAX & ANR. ..... Respondents

Through: Mr. Ajit Sharma, Advocate

CORAM:
HON'BLE MR. JUSTICE MANMOHAN
HON'BLE MR. JUSTICE SANJEEV NARULA

<u>O R D E R</u>

% **03.07.2020**

The petition has been heard by way of video conferencing.

Present writ petition has been filed seeking direction to the respondent to grant refund for Assessment Year 2018-19 of Rs.1,39,59,190/- along with interest under Section 244A of the Income Tax Act, 1961.

In the present petition, it was averred that the action of the respondent in not granting refund was arbitrary, unreasonable and unjustified. It was further averred that even though the petitioner's case had been selected for scrutiny assessment under Section 143(2) of the Income Tax Act, yet the department was obliged in law to release the refund amount claimed by the assessee pending completion of scrutiny assessment.

On the last date of hearing, learned counsel for respondents had stated that a proposal under Section 241A of the Income Tax Act, 1961 had been mooted by the Assessing Officer. He was directed to produce the said proposal before this Court.

Learned counsel for respondents-revenue has filed an affidavit dated 02nd July, 2020 annexing the order dated 29th June, 2020 passed under Section 241A of the Income Tax Act, 1961.

In view of the aforesaid order, learned counsel for petitioner wishes to withdraw the present writ petition with liberty to challenge the order dated 29th June, 2020 passed under Section 241A of the Income Tax Act, 1961.

With the aforesaid liberty, present writ petition stands disposed of. All rights and contentions of the parties are left open.

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

JULY 03, 2020

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