OD-2

ORDER SHEET

WPO/234/2021

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

D AND I TAXCON SERVICES PVT LTD
Versus
UNION OF INDIA AND ORS

BEFORE:
The Hon'ble JUSTICE MD. NIZAMUDDIN
Date : 7th July, 2021
(Via Video Conference)

Appearance:
Mr. Tapas Dutta, Adv.

Mr. Debasish Chowdhury, Adv.
Mr. Soumen Bhattacharya, Adv.

The Court: In this writ petition the petitioner has challenged the impugned order dated 5th January, 2021, being Annexure-P3 to the writ petition, on the ground that it has been recorded that its application under Section 154 of the Income Tax Act has been rejected and at the same time, in the same communication, it has also been recorded that its application has been transferred to the jurisdictional Assessing Officer, which is highly contradictory.

Learned Advocate appearing for the Revenue has filed written instruction issued by ITO Ward-6(1), Kolkata from where it appears that the claim in the aforesaid rectification application has been considered by rectifying the same on 6th July, 2021 by issuing refund of Rs.80,810/-, as claimed by the assessee.

In view of this fact, there is no need of keeping the writ petition pending. It is disposed of by directing the respondent Income Tax authorities concerned to refund the said amount along with interest, as recorded in the said instruction, within four weeks from the date of communication of this order.

WPO/234/2021 is accordingly disposed of.

The written instruction be kept on record.

(MD. NIZAMUDDIN, J.)

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