

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-86-2021

Date of decision : 10.03.2021

Late Smt.Saraswati Devi

... Petitioner

Versus

Central Board of Direct Taxes and others

... Respondents

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

Present: Mr.Divya Suri, Advocate
for the petitioner.

(Proceeding through Video Conferencing)

AUGUSTINE GEORGE MASIH, J.

The petitioner has approached this Court praying for issuance of a writ of mandamus directing the respondents to release erroneously withheld / overdue, legitimate refunds of five years, i.e. Rs. 8757/- qua financial year 2009-10, Rs.3,60,640/- qua financial year 2011-12, Rs.17,110/- qua financial year 2012-13, Rs.11,450/- qua financial year 2013-14, Rs.8,440/- qua financial year 2018-19. The total amount comes to Rs.4,06,400/-. The claim of the petitioner has been wrongly not responded to despite the petitioner having put forth the claim for refund of the said amount. Lastly the petitioner had submitted a representation dated 29.12.2020 (Annexure P-3) addressed to the Income Tax Officer, Ward 2, Rewari (Haryana)-respondent no.3. The said representation has not been responded to nor any decision has been taken thereon.

Learned counsel for the petitioner states that the petitioner

would be satisfied if direction is issued to the Income Tax Officer, Ward No.2, Rewari-respondent no.3 to consider and decide the representation of the petitioner dated 29.12.2020 (Annexure P-3), within a specified time.

Without going into the merits of the case, the present petition is disposed of directing the Income Tax Officer, Ward No.2, Rewari-respondent no.3 to consider and decide the representation of the petitioner dated 29.12.2020 (Annexure P-3), within a period of four weeks from the date of receipt of certified copy of the order. In case the claim of the petitioner is accepted, consequential refund be released to the petitioner within a further period of three weeks.

(AUGUSTINE GEORGE MASIH)
JUDGE

(ASHOK KUMAR VERMA)
JUDGE

March 10, 2021

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No