15.11.2022
Ct. 5
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WPA 12168 of 2022

M/s. Koley Construction & Ors.
-Vs-
The State of West Bengal & Ors.

Mr. Ayan Banerjee,
Mr. Soumo Chaudhury
... for the petitioners

Mr. Nilotpal Chatterjee,
Mr. Ratul Das
... for the State

The petitioners claim refund of the GST component of the work done by the petitioners for the respondent no. 2 being the West Bengal State Rural Development Agency. The GST component was agreed to be refunded by the said respondent by way of a written communication to the petitioners. This is also corroborated by a letter dated 15th July, 2022 where the respondent no. 2 has asked the petitioners to submit the GST Compensation Claim within a certain timeframe.

Learned counsel appearing for the petitioners submits that the proforma handed over to the petitioners for submitting the Claim is not in accordance with Rules framed by the respondent no. 2.

The State is represented. Learned counsel appearing for the State submits that the matter may be resolved by a direction on the petitioners to submit the Claim as instructed.

WPA 12168 of 2022 is disposed of with a direction on the petitioners to submit the GST Compensation Claim as instructed in the letter of the respondent no. 2 dated 15th July, 2022 and in accordance with the form given to the petitioners within a period of ten days from today. The respondent no. 2 shall process the request for refund within four weeks from the date of receiving the Claim and disburse the same to the petitioners within a period of eight weeks from the date on which the respondent no. 2 receives the Claim from the petitioners. In the event the proforma circulated is not in accordance with the Rules, the respondent no. 2 shall circulate a fresh proforma to the petitioners within two days from today.

(**Moushumi Bhattacharya, J.)**