

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 28 OF 2020**

ROSY BLUE INDIA PVT.LTD.

...PETITIONER

VS

THE UNION OF INDIA AND 2 ORS

...RESPONDENTS

Mr. Bharat Raichandani a/w Mr. Rishabh Jain i/b UBR Legal for Petitioner.
Mr. Anjani Kumar Singh for Respondent No.1-UOI.
Ms Ruju Thakker for Respondent Nos.2 & 3.

**CORAM : K.R. SHRIRAM &
A.S. DOCTOR, JJ
DATED : 27th SEPTEMBER 2022**

PC. :

1 Mr. Raichandani states that petitioner has received the refund and what remains is the interest to be paid for the belated payment. Ms Thakker states in case, refund amount is sanctioned after the period of 90 days, the interest is payable. Ms Thakker states that refund sanctioning authority has agreed to pay interest and that the time period starts from the date of receipt of entire set of documents for the refund. Respondents are not able to make out the date of receipt of entire set of documents from petitioner.

Mr. Raichandani states that the dates of submission of refund application are given in the impugned orders itself. Ms Thakker states that whether the entire set of documents have been submitted is not clear.

2 In our view, that is an unacceptable excuse because respondents should have given to petitioner a list of documents not submitted within three months prescribed for granting the refund. The fact that refund itself

has been granted, the excuse of non availability of proof of submitting all documents is unjustified.

3 In the circumstances, respondents are directed to grant refund on the basis of the dates mentioned in the impugned order and interest shall be paid within 8 weeks from today.

4 Petition disposed. No order as to costs.

(A. S. DOCTOR, J.)

(K.R. SHRIRAM, J.)