



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

119

CWP-17834-2024
Decided on : 30.07.2024

M/s KCC Buildcon Pvt. Ltd.

... Petitioner(s)

Versus

State of Punjab and others

... Respondent(s)

CORAM: HON’BLE MR. JUSTICE SANJEEV PRAKASH SHARMA
HON’BLE MR. JUSTICE SANJAY VASHISTH

PRESENT: Dr. Malkiat Singh, Advocate
for the petitioner(s) (**appearing through V.C.**)

Mr. Bhuvnesh Satija, DAG, Punjab.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. The petitioner had earlier approached this Court by filing CWP-3551-2024. This Court dismissed the said writ petition with liberty to raise all objections before the Tribunal.
2. Learned counsel for the petitioner submits that he has already approached the Tribunal in terms of the observations made by this Court in its order dated 16.02.2024, passed in CWP-3551-2024.
3. Learned counsel for the petitioner further submits that the petitioner separately filed a representation to respondent No.2 for releasing the refund amount along with interest on account of delay of refund, which was due from 2011-12 onwards, and no action has been taken on the said representation. Therefore, he has preferred present writ petition before this Court.
4. We find that the petitioner’s appeal against the order passed in



VAT Appeal No.66 of 2022-23, decided on 11th July, 2023, with regard to the Assessment Year 2011-12, is still pending for disposal before the Tribunal. The said appeal is pending for demanding the refund for the same years, thus, the present writ petition is wholly misconceived, which amounts to abuse to process of law, is accordingly dismissed.

Pending application(s), if any, also stands disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

(SANJAY VASHISTH)
JUDGE

July 30, 2024
J.Ram

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No