

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

WEDNESDAY ,THE ELEVENTH DAY OF DECEMBER TWO THOUSAND AND
NINETEEN

:PRESENT:

**THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO
AND**

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 10274 OF 2018

Between:

Kokilaben.J. Kadakia,, W/o Late.Shri Jayantilal M.Kadakia

Petitioner

AND

1. The Commissioner,, Income Tax Department, Circle 10 (1), Income Tax Towers, A.C.Gaurds, Masab Tank, Hyderabad.
2. The Additional Commissioner of Income Tax,, Income Tax Department, Circle 10 (1), Income Tax Towers, A.C. Gaurds, Masab Tank, Hyderabad.

Respondent

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ of mandamus or any other appropriate writ or order or direction declaring the inaction of the Respondents in refunding the amount due to the Petitioner in respect of the Assesment year 2007-08, 2008-09 and 2009-10 as arbitrary and illegal and consequently direct the Respondents to refund the amounts as per the Assessments

IA NO: 1 OF 2018

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondent to refund the amounts payable to the Petitioner as per the Assessments in respect of the Assessment years 2007-08, 2008-09 and 2009-10 pending disposal of the writ petition., Pending disposal of WP 10274 of 2018, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI PRABHAKAR PERI Advocate for the Petitioner, SRI K RAJI REDDY(SENIOR SC_ INCOME TAX DEPT) Advocate for the Respondent and the Court made the following.

ORDER

The 2nd respondent shall appear before this Court on 24.12.2019 to explain why refund sought by the petitioner is not being given as more than (15) adjournments have been taken and the petitioner is of (83) years old lady.

The Registry is directed to communicate this order to 2nd respondent as well as to Sri Raji Reddy, learned Standing Counsel for 2nd respondent.

Sd/- M. MANJULA
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Commissioner,, Income Tax Department, Circle 10 (1), Income Tax Towers, A.C.Gaurds, Masab Tank, Hyderabad. (by RPAD)
2. The Additional Commissioner of Income Tax,, Income Tax Department, Circle 10 (1), Income Tax Towers, A.C. Gaurds, Masab Tank, Hyderabad. (by RPAD)

3. One CC to SRI. PRABHAKAR PERI Advocate [OPUC]
4. One CC to SRI. K RAJI REDDY (SENIOR SC _ INCOME TAX DEPT) Advocate [OPUC]
5. One spare copy

Avs

HIGH COURT

MSRJ & KLJ

DATED:11/12/2019

ORDER

WP.No.10274 of 2018

DIRECTION

