

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

TUESDAY, THE TWENTY FOURTH 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 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 order of the High Court dated 11.12.2019 made herein 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 Respondents, the Court made the following.

ORDER:

“Sri K. Raji Reddy, learned counsel appearing for the respondents assures that the respondents will process the refund claim of the petitioner and refund the amount claimed by the petitioner.

List on 27.01.2020.

The presence of the second respondent is dispensed with.”

**SD/-CH.VENKATESHWARLU
ASSISTANT REGISTRAR**

//TRUE COPY//

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SECTION OFFICER

To,

1. The Additional Commissioner of Income Tax,, Income Tax Department, Circle 10 (1), Income Tax Towers, A.C. Gaurds, Masab Tank, Hyderabad.
2. One CC to SRI PRABHAKAR PERI Advocate [OPUC]
3. One CC to SRI K RAJI REDDY(SENIOR SC_ INCOME TAX DEPT) Advocate [OPUC]
4. Two spare copies

HIGH COURT

MSRJ & KLJ

DATED: 24.12.2019

NOTE: LIST ON 27.01.2020

ORDER

WP.No.10274 of 2018

APPEARANCE OF THE 2ND DISPENSED WITH



A handwritten signature in black ink, consisting of a single, fluid, sweeping stroke that starts from the left and curves upwards and to the right.