

**IN THE HIGH COURT OF DELHI**

**WP (C) 11796/2019**

**NAGINA INTERNATIONAL**

**Vs**

**UNION OF INDIA & ORS**

**Manmohan & Sanjeev Narula, JJ**

**Dated: September 9, 2020**

**Appellant Rep by:** Mr. Javed Ahmad, Adv

**Respondent Rep by:** Mr. Siddharth, Adv. for Ms. Shiva Lakshmi, CGSC for respondent No. 1/UOI.

**GST** - Petitioner seeks directions to the respondents to grant a refund of IGST/ITC in compliance with the directions of this Court given in order dated 14th November 2019 [**2019-TIOL-2611-HC-DEL-GST**] - Court had directed the respondents to examine the claim of the petitioner and release the refund amount within four weeks positively, if the same or any part whereof was found to be payable - Petitioner further submits that on 06th February, 2020 respondent No. 3 filed a short affidavit praying for some time to make the computer software operational in order to grant a refund to the petitioner; however, despite lapse of nine months, nothing has been heard from the respondents - Notice issued - returnable for 23rd September, 2020: High Court

**Matter listed**

**Case laws cited:**

***NAGINA INTERNATIONAL - 2019-TIOL-2611-HC-DEL-GST***

**JUDGEMENT**

**CM APPL. 22012/2020**

The application has been listed before this Bench by the Registry in view of the urgency expressed therein. The same has been heard by way of video conferencing.

Present application has been filed by the petitioner seeking directions to the respondents to grant a refund of IGST/ITC in compliance with the directions of this Court.

Learned counsel for the petitioner submits that vide order dated 14th November, 2019 = **2019-TIOL-2611-HC-DEL-GST** this Court had directed the respondents to examine the claim of the petitioner and release the refund amount within four weeks positively, if the same or any part whereof was found to be payable.

He further submits that on 06th February, 2020 respondent No. 3 filed a short affidavit praying for some time to make the computer software operational in order to grant a refund to the petitioner.

He states that despite lapse of nine months, nothing has been heard from the respondents.

Issue notice.

Mr. Siddharth, learned counsel, accepts notice on behalf of respondent No. 1.

Issue notice to the unserved respondents through counsel by all modes, returnable for 23rd September, 2020.

The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through e-mail.