

Credit of TDS denied :-MADRAS HIGH COURT :-VAJRA GLOBAL CONSULTING SERVICES LLP, REPRESENTED BY ITS PARTNER SHRI. G. SANKARABAAHAM VERSUS ASSISTANT DIRECTOR OF INCOME TAX, INCOME TAX OFFICER, NON-CORPORATE WARD 1 (6) , CHENNAI,

No.- W.P.No .23800 of 2023 And W.M.P. Nos. 23305 & 23308 of 2023

Dated.- March 4, 2024

Issue involved:

The petitioner states that the return of income was filed for assessment year 2020-2021. In the said return, the petitioner had claimed TDS credit of Rs. 10,88,863/-. At the time of filing the return, TDS of Rs. 7,65,000/-, which was deducted by M/s.Richfeel Health and Beauty Private Limited was not reflected in Form 26AS. Subsequently, the said entity filed its return and the corresponding credit of Rs. 7,65,000/- was reflected in Form 26AS pertaining to the petitioner's PAN. In those circumstances, the petitioner filed a rectification petition. Such rectification petition was disposed of by order dated 09.12.2021 stating that no payment was due.

The present writ petition was filed in the said facts and circumstances.

Held:

In these circumstances, the orders impugned herein warrant interference. The documents on record indicate that the total amount deducted as TDS was Rs. 18,53,863/-. Since credit was provided only in respect of Rs. 10,88,863/- and not in respect of the differential amount of Rs. 7,65,000/-, the petitioner is entitled to refund in respect thereof.

Hence, the impugned orders are quashed and the respondents are directed to take all necessary steps to refund the sum of Rs. 7,65,000/- to the petitioner. This exercise shall be completed within a maximum period of two months from the date of receipt of a copy of this order.