

## **GST Registration not to be cancelled based on vague SCN issued by Revenue Department**

The Hon'ble Delhi High Court in the case of ***NP Trading Co. v. Commissioner of GST [W.P. (C) NO. 1399 OF 2024 dated February 09, 2024]*** set aside the Impugned Order, thereby cancelling Assessee GST registration on the ground that no details were provided in SCN relating to alleged invoices or bills made without the supply of goods or services.

### **Facts:**

The Revenue Department ("**the Respondent**") issued a show cause notice dated November 05, 2021 ("**SCN**") to NP Trading Co. ("**the Petitioner**"), as to why the Petitioner's GST registration should not be cancelled. Thereafter, the Respondent cancelled the Petitioner's GST Registration vide order dated December 23, 2021 ("**the Impugned Order**"). The ground cited was that the Petitioner had issued invoices without the supply of goods or services.

Aggrieved by the Impugned Order, the Petitioner filed a writ petition before the Hon'ble High Court on the ground that, no details were provided in SCN relating to alleged invoices or bills made without supply of goods or services. Also, no inquiry was conducted by the Respondent in relation to invoices or bills issued without supply of goods or services.

### **Held:**

The Hon'ble Delhi High Court in ***Writ Petition (C) No. 1399 OF 2024*** held that the Impugned Order cancelling the Petitioner GST Registration is liable to be set aside. The Hon'ble High Court further directed the Respondent to furnish the relevant material which has been relied upon for issuance of SCN and thereby adjudicate the SCN in accordance with law.

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