

Registration has to be cancelled retrospectively from the date when no business is being conducted by Registered Person

The Hon'ble Delhi High Court in *Varyam Dass Khurana vs. Commissioner of GST, New Delhi [W.P.(C) NO. 15670 OF 2023 dated December 05, 2023]*, directed that, the registration has to be cancelled retrospectively from the date when no business is being conducted by the Registered Person.

Facts:

Varyam Dass Khurana was a registered person under GST who is engaged in the business of supplying building materials and other related materials, operating under the business name and style of Ram Builders, having its principal place of business in Delhi. However, Varyam Dass Khurana died and one of the sons namely Shri Sanjay Khurana took charge of the business and applied for cancellation of GST Registration in favour of Varyam Dass Khurana. However, the Revenue Department ("**the Respondent**") issued notice seeking further information pertaining to the application filed.

The Respondent vide order dated May 29, 2020 ("**the Impugned Order**"), pursuant to the Show Cause Notice dated May 18, 2020 ("**the SCN**") cancelled the GST Registration retrospectively.

Aggrieved by the Impugned Order, Shri Sandeep Khurana ("**the Petitioner**") being one of the legal heirs filed a writ petition before the Hon'ble Delhi High Court.

Held:

The Hon'ble Delhi High Court in *W.P.(C) NO. 15670 OF 2023* directed the Respondent that the Impugned Order shall take effect from the date of issuance of SCN as no business was being

conducted thereafter, after taking into consideration the fact that the Impugned Order is devoid of any reasoning.

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