Om Enterprises vs. Union of India & Ors.

Cancellation of GST registration on vague show cause notice – Sections 29 and 30 of the CGST Act, 2017.

Date of Order: January 29, 2026
Case Law No: GIB-BHC-2026-13
Source: GST INDIA Biz (www.gstindia.biz)

CASE DESCRIPTION / SUMMARY

Facts:

The petitioner's GST registration was cancelled by an order dated 28.10.2022 after issuance of a show cause notice dated 12.10.2022 alleging that the registration had been obtained by fraud, wilful misstatement, or suppression of facts. The petitioner filed a reply to the show cause notice explaining the circumstances, including that the business had already been discontinued. Despite this, the authority cancelled the registration without addressing the reply or providing proper reasons.

Court Decision:

The High Court observed that the show cause notice was a cyclostyled notice without specific allegations and that there were serious discrepancies between the allegations in the show cause notice and the reasons recorded in the cancellation order. The authority had not considered the petitioner's reply or provided any particulars of defects or objections.

The Court held that the authority acted in a casual and mechanical manner without properly exercising jurisdiction under the CGST Act. Accordingly, the impugned order dated 28.10.2022 cancelling the GST registration was quashed and set aside, and the petitioner's GST registration was restored.

© 2026 GST INDIA Biz. All rights reserved.