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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Decision: 22nd September, 2025

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W.P.(C) 14652/2025

INESH RADIATORS LIMITED THROUGH DIRECTOR
RHYTHM GOEL

.....Petitioner

Through: Mr. Harpreet Singh, SSC with Mr.
Suresh Chaudhary, Adv.

versus

SALES TAX OFFICER CLASS II AVATO WARD 80
AND ANR

.....Respondents

Through: Ms. Urvi Mohan, Adv. for GNCTD

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CM APPL. 60123/2025 (for exemption)

2. Allowed, subject to all just exceptions. The application is disposed of.

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3. The present petition has been filed by the Petitioner-Inesh Radiators Limited under Articles 226 and 227 of the Constitution of India, *inter alia*, challenging the Show Cause Notice (hereinafter, 'SCN') for cancellation of registration dated 21st August, 2025 issued by Sales Tax Officer II/AVATO, Delhi.

4. The Petitioner had a GST Registration since 21st September, 2017. It has approached this Court under extenuating circumstances where its GST Registration has been suspended pursuant to a SCN issued on 21st August,



2025.

5. The submission of Mr. Harpreet Singh, Id. Counsel for the Petitioner is that there are various SCNs which have been issued to the Petitioner.

- Firstly, a SCN was issued to the Petitioner on 12th February, 2019. The registration of the Petitioner was cancelled by the Respondents *vide* order dated 23rd February, 2019 but thereafter, the said cancellation was revoked *vide* order dated 02nd March, 2019.
- Another SCN was issued to the Petitioner on 06th December, 2023 alleging wrongful availment of Input Tax credit (hereinafter, 'ITC'). The Petitioner had filed a reply to the said SCN, however, the said proceedings were dropped on 2nd April, 2024.
- A third SCN was issued to the Petitioner on 07th October, 2024, to which a reply was again filed on 08th October, 2024 and again the proceedings were dropped on 09th October, 2024.
- A fourth SCN was issued to the Petitioner on 06th June, 2025. After filing a reply to the said SCN, the proceedings were dropped on 26th June, 2025.

6. On 11th February, 2025 a search is stated to be conducted at the premises of the Petitioner by the Directorate General of Goods and Services Tax Intelligence, Gurugram Zonal Unit. Thereafter, again on 17th June, 2025, State GST Anti-Evasion officers conducted a search at the premises of the Petitioner. The premises of Petitioner were thereafter sealed. But finally, the premises of the Petitioner were de-sealed on 15th July, 2025.

7. A fifth SCN has now been issued on 21st August, 2025 on the ground that the Petitioner has been availing and passing on ITC without supply of actual goods.



8. Mr. Harpreet Singh, Id. Counsel for the Petitioner submits that this very allegation was considered in earlier SCNs. However, with the present SCN being issued, the GST registration of the Petitioner has also been suspended leading to enormous injuries to the Petitioner's business and financial condition.

9. Considering the nature of the SCN dated 21st August, 2025, the Court is not inclined to interfere in the proceedings in the SCN at this stage. The Petitioner has already filed a reply to the said SCN. The SCN shall accordingly be adjudicated in accordance with law after giving the notice of personal hearing to the Petitioner at the following email address and mobile number:

● ***Email Address: chaudhary3938@yahoo.com***

● ***Mobile No.: 9811293938***

10. Presently, there is an ongoing festive season and several steps have been announced by the Government to encourage businesses. The Petitioner has succeeded in all four SCNs in the past and proceedings have been dropped. Accordingly, this Court is of the opinion that the Petitioner's business would be irreparably prejudiced due to the suspension of the GST Registration and it is thus directed that the suspension shall be lifted within 2 working days. The Petitioner shall continue to comply with all the requirements under the applicable Act and Rules including filing of Returns and payment of tax.

11. Subject to the said compliance and subject to abiding by the final order which may be passed by the Adjudicating Authority, the suspension shall be lifted. The Adjudicating Authority, after giving a personal hearing to the Petitioner, shall pass a reasoned order in accordance with law.

12. The said order shall be passed by 30th November, 2025.



13. All rights and remedies of the parties are left open.
14. The petition is disposed of in these terms. All pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

SEPTEMBER 22, 2025/pd/ck