

HC quashes order blocking ITC in excess of ITC available in ECL at time of passing order

Rule 86A(1) of CGST Rules does not contemplate an order, effect of which is to require a taxpayer to replenish his ECL with valid availment of ITC, to extent of ITC used in past, which Commissioner or an officer authorized by him has reasons to believe, was fraudulently availed or was ineligible; hence, order disallowing debit from ECL of petitioners, in excess of ITC available in ECL at time of passing order, was to be set aside.

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Versus

PRINCIPAL COMMISSIONER, CGST COMMISSIONERATE

Citation: (2024) 22 Centax 531 (Del.) [24-09-2024]

“Negative
blocking of
Electronic Credit
Ledger not
allowed”
Rules Hon’ble
Delhi High Court

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