

HC directed dept. to refund penalty due to authority's failure to act within 7 days of notice under Sec.129(3)

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THE HON'BLE PATNA HIGH COURT IN THE CASE OF

Kedia Enterprises V/s State of Bihar, decided on 25-9-2024

Issue:

Can Penalty order be passed on detention of goods and vehicle after 7 days from service of notice under Sec.129(3)

The Hon'ble High Court Judgement:

Vehicle carrying goods were detained on 30-3-2024 - Notice was served on 4-4-2024 - Order was passed on 18-4-2024. Hence Penalty order passed on detention of goods and vehicles after 7 days from service of notice was not sustainable.

Section 129 of Central Goods and Services Tax Act, 2017