

HC: Denial of Cross-Examination Violates Natural Justice under GST

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**REFER THE DECISION OF THE HON'BLE MADHYA PRADESH HIGH COURT
IN THE CASE OF**

**Paper Trade Links through its Proprietor Shri Sandeep Bhargava v. Union of
India Department of Revenue Ministry of Finance - [2025] 176 taxmann.com
529 (Madhya Pradesh)**

FACTS:

**The department issued summons under Section 70 of the CGST Act to the
petitioner for producing documents and giving evidence.**

The department relied on statements of certain witnesses during proceedings.

**The petitioner requested an opportunity to cross-examine those witnesses,
which was denied by the authority.**

**The petitioner challenged this action before the High Court on the ground that
denial of cross-examination violated the principles of natural justice, which are
fundamental to any quasi-judicial proceeding.**

Hon'ble High Court Judgement:

**The High Court observed that when statements of witnesses are relied upon
for passing an adverse order, the person against whom such evidence is used
must be given a fair opportunity to cross-examine them.**

**Denial of cross-examination amounts to a violation of the principle of audi
alteram partem (hear the other side), which is an essential part of natural
justice.**

**The Madhya Pradesh High Court held that non-provision of cross-examination
vitiating the proceedings.**

**The matter was remanded back to the authority to proceed from the stage of
cross-examination of the witnesses, giving the petitioner an opportunity to
defend its case properly.**