

# **HC: Proceedings under Section 130 of CGST Act are not permissible against a registered dealer if excess stock is found during a survey**

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## **THE HON'BLE ALLAHABAD HIGH COURT IN THE CASE OF**

**Dee Control And Electric Pvt. Ltd. V/s Additional Commissioner Grade-2, decided on 07-01-2025**

### **Issue:**

**Can Proceedings U/Sec 130 of CGST Act are permissible against a registered dealer if excess stock is found during a survey?**

### **The Hon'ble High Court Judgement:**

**Where pursuant to an inspection under section 67 at premises of assessee excess stock was found and impugned order was passed under section 130, since instant court on various occasions held that if excess stock is found, proceedings under section 73 or 74 will come into play rather than section 130, impugned order could not be sustained.**

**Section 67 of Central Goods and Services Tax Act, 2017**