



CNR: KAHC010628882026

NC: 2026:KHC:49147
WP No. 28570 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 9TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 28570 OF 2026 (T-RES)

BETWEEN:

M/S. SANVI CREATIONS
NO.1/1, GROUND FLOOR,
1ST CROSS, 1ST MAIN,
DAYANANDA NAGAR,
BENGALURU - 560 021,

REPRESENTED BY ITS PROPRIETOR
HARISAVE DEVARAJ KIRAN KUMAR
S/O DEVARAJ H.M, AGED ABOUT 34 YEARS

...PETITIONER

(BY SRI. SHREEHARI KUTSA, ADVOCATE A/W
SRI. KIRAN NAIDU, ADVOCATE)

AND:

1. COMMERCIAL TAX OFFICER,
(AUDIT)-1.5, DGSTO-01
OFFICE OF THE COMMERCIAL TAX OFFICER,
(AUDIT)-1.5, DGSTO-01,
ROOM NO.32, 5TH FLOOR,
TTMC, BMTC BUILDING,

Digitally
signed by
VANAMALA
N

Location:
HIGH
COURT OF
KARNATAKA



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YESHWANTHPUR,
BENGALURU - 560 022.

2. COMMISSIONER OF COMMERCIAL TAX
VANIJYA THERIGE KARYALAYA,
KALIDASA MARG, GANDHI NAGAR,
BENGALURU - 560 009.

...RESPONDENTS

(BY SMT. JYOTI M. MARADI, HC GP)

THIS WP IS FILED UNDER ARTICLES 226 AND 227
OF THE CONSTITUTION OF INDIA PRAYING TO
QUASHING AND SETTING ASIDE THE AUDIT REPORT
DATED 31.08.2026 FOR THE YEAR 2022-23 BEARING
NO. CTO(AUDIT)1.5/GST(A)/T.NO. /2026-27 ISSUED BY
RESPONDENT NO.1 PRODUCED HERewith AND
MARKED AS ANNEXURE D AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY
HEARING, THIS DAY, ORDER WAS MADE THEREIN AS
UNDER:

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD



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ORAL ORDER

The petitioner has called in question the first respondent's Audit Report dated 31.08.2026 [Annexure-D] and the subsequent Show Cause Notice in Form GST DRC-01 dated 02.09.2026 [Annexure-E] with a request for direction to the first respondent to consider the petitioner's objections dated 30.07.2026 to the audit observations.

2. Sri. Sreehari Kutsa, and Sri. Kiran Naidu, the learned counsels for the petitioner, submit that this Court must intervene because the first respondent, without considering the petitioner's detailed response to the audit observations, has caused the show cause notice; and the learned counsels emphasize that the failure to consider the petitioner's objections to the audit observation exposes the petitioner to an adjudication without a complete examination of the petitioner's case.



3. Ms. Jyoti M. Maradi, the learned High Court Government Pleader who accepts notice for the respondents, submits that the audit is only to examine whether there is any cause for proceedings under Sections 73 or 74 of the Karnataka Goods and Services Tax Act, 2017 and Central Goods and Services Tax Act, 2017 (*the KGST/CGST Act* for short), and even if there is any failure to consider the petitioner's objections to the audit observation, the petitioner can, in filing a detailed response, and requesting for a personal hearing as is contemplated under Section 75(4) of the KGST/CGST Act, can avail of opportunity and demonstrate that there can be no confirmation of the proposition or the demand flowing from such proposition.

4. These rival positions are carefully considered for interference, and this Court finds considerable force in the submissions by Ms. Jyothi M. Maradi. The petitioner indeed has an opportunity



under the Show Cause Notice dated 02.09.2026 to show cause against the proposed demand and even seek a personal hearing to vindicate its cause against the confirmation of the demand in the adjudication process. The petitioner is extended an opportunity with the issuance of the show cause notice to file a reply until 01.10.2026 and this Court is of the view that with the present petition, the petitioner must have a further reasonable time.

5. Hence, the petition stands ***disposed of***, permitting the petitioner to file a detailed response to the propositions in the show cause notice by **23.10.2026** observing that the petitioner will be at liberty to seek a personal hearing as envisaged under Section 75(4) of the KGST/CGST Act and the first respondent shall extend such opportunity. It is needless to observe that the petitioner shall file a response with documents as now permitted by **23.10.2026**, without further notice and that the first



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respondent must conclude the proceedings by cogent reasons.

Sd/-
(B M SHYAM PRASAD)
JUDGE

JY
List No.: 2 Sl No.: 13