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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010386452026

+ **W.P.(C) 11989/2026, CM APPL. 55664/2026 & CM APPL. 55665/2026**

CENTRAL WAREHOUSING CORPORATION Petitioner

Through: **Ms. Richa Kapoor & Mr. Arnav Mehta, Advs.**

versus

UNION OF INDIA AND ORS Respondents

Through: **Ms. Vaishali Gupta, Panel Counsel, GNCTD**

Ms. Urvashi Basak, Government Pleader

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

% 25.08.2026

1. The Petitioner herein is a Public Sector Undertaking. A Show Cause Notice dated 12.01.2021 was issued under Section 74 of the CGST/DGST Act, 2017, in respect of the period from April, 2018 to March, 2019.
2. The Petitioner submitted its reply to the Show Cause Notice on 20.01.2021. However, on the last date, i.e. 31.12.2025, the impugned non-speaking order came to be passed by the Authority. The order merely records that the reply filed by the Petitioner was considered; however, the manner and extent of such consideration are not borne out from the record.
3. It is pertinent to note that the reply was submitted by the Petitioner in



January, 2021, whereas the impugned order came to be passed nearly five years thereafter, on 31.12.2025. The manner in which the order has been passed, on the last day before the proceedings were to lapse, *prima facie* indicates that the order is a cyclostyled order, without due consideration of the reply submitted by the Petitioner.

4. An *ex parte* order has been passed.

5. In the peculiar facts and circumstances of the present case, the impugned order dated 31.12.2025 is set aside. The Adjudicating Officer is directed to pass a fresh order in accordance with law, after affording the Petitioner an effective opportunity of personal hearing.

6. It is also observed that the various organs of the Government ought to endeavour to resolve inter-departmental disputes amicably, rather than burdening the Courts with avoidable litigation.

7. In view of the aforesaid, it is expected that the Senior Officials of both the Departments shall hold a meeting and make an endeavour to resolve the controversy, to the extent possible, in an amicable manner.

8. With the aforesaid observations and directions, the writ petition is allowed.

ANIL KSHETARPAL, J

AMIT MAHAJAN, J

AUGUST 25, 2026/pd/rm