



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 2239 OF 2025

(M/s. Hindustan Steel vs. The State of Maharashtra and another)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders or the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. F.T. Mirza, Senior Advocate assisted by Ms. Shaad Mirza, Advocate for petitioner.

Mr. I.J. Damle, AGP for respondent No.1.

CORAM : ANIL L. PANSARE AND
SIDDHESHWAR S. THOMBRE, JJ.
SEPTEMBER 26, 2025

1) On 19/09/2025 following order was passed :-

“1) By this petition, the challenge is raised against the blocking of the account of the petitioner.

2) Learned Assistant Government Pleader submits that the account of the petitioner has already been unblocked.

3) Learned Senior Counsel seeks time to take instructions.

4) List the matter on 26/09/2025.”

2) Learned Assistant Government Pleader has tendered across the bar a copy of order of unblocking the account, which is taken on record.

3) Mr. Mirza, learned Senior Counsel for the petitioner submits that though the issue of blocking accounts of the petitioner has been resolved, the losses suffered by the petitioner because of apparent illegal action at the hands of respondent No.2 cannot be ignored. The petitioner is accordingly pressing for order in terms of prayer clause (b) which reads as under :-

(b) to direct the respondent no.1 to initiate appropriate action against the respondent no.2 for acting contrary to the law and causing injustice to the petitioner;

4) Learned Senior Counsel submits that the petitioner's Electronic Credit Ledger (ECL) was blocked by respondent No.2 since 17/12/2024 without giving any opportunity of hearing to the petitioner and further without assigning any reason.

5) Learned Senior Counsel has invited our attention to the order which was sent to the petitioner through mail, which reads as under :-

"donotreply@... 12/17/2024

to me ^

From donotreply@gst.gov.in

Reply-to donotreply@gst.gov.in

To rscoworkgst@gmail.com

Date Dec 17, 2024, 12:13 PM

Standard encryption (TLS).

View security details

GSTIN:27AAIFH5902J1Z9

Name: HINDUSTAN STEEL

Trade/Legal

Dear Taxpayer,

Input tax credit (ITC) amounting to Rs.1.402563E7 has been blocked for GSTIN 27AAIFH5902J1Z9 by Shri/Mr/Ms SANTOSH DAMODHAR HEMANE, Deputy Commissioner of State, CHANDRAPUR_501, Admn :STATE on 17-12-2024. Please view your credit ledger on the Portal for details.

Regards,"

6) Learned Senior counsel submits that the amount mentioned in the order is in fact Rs.1,40,25,630/-. In support of his contention he has invited our attention to the order of unblocking the account, which indicate that amount blocked was Rs.1,40,25,630/-.

7) Thus, the argument is that the aforesaid order is passed without giving opportunity of hearing to the petitioner and secondly the order is non-speaking.

8) We find both the submissions to be correct, because the order reproduced above, does not indicate that opportunity of hearing was given to the petitioner nor the order is speaking order. What is more serious is that the respondent No.2 has blocked huge amount of the petitioner, resulting into business losses. Such order is passed despite the law having been well settled by this Court in the case of *Dee Vee Projects Ltd. vs. The Government of Maharashtra* in *Writ Petition No.2693/2021* decided on *11/02/2022*.

9) Mr.Mirza, learned Senior Counsel submits that the respondents have not filed reply, however, the respondent No.1 upon receipt of notice of the Court appears to have acknowledged the illegality in the order and issued direction to the respondent No.2 to unblock the account.

10) Learned Assistant Government Pleader submits that the direction has been given by the Commissioner, whereas respondent No.1 is joint Commissioner.

11) It is immaterial as to who has given such directions, the fact remains that the senior Officer has taken cognisance, once the issue was raised before this Court. In these circumstances and since the account of petitioner has been now unblocked but since

it was blocked for no valid reason, we dispose of the petition with following directions :-

i) The respondent No.1 shall inquire into the matter and proceed to take action against the erring Officer/s including respondent No.2, after giving an opportunity of hearing to the concerned and ultimately if it is found that his conduct attracts disciplinary action under service rules applicable to him.

12) The petition stands disposed of in the above terms.

(JUDGE)

(JUDGE)