IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

117 **CWP-5903-2026**
Date of Decision: 20.05.2026

M/s SKG Infratech Pvt. Ltd. **...Petitioner**

Versus

State of Haryana and others **...Respondents**

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Ankit Midha, Advocate for the petitioner

Mr. Akshit Pathania, Assistant Advocate General, Haryana

Mr. Harmanjot Singh Gill, Advocate for respondent Nos.2 to 9

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JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to make additional payment on account of impact of increased rate of GST from 12% to 18% for the period from 01.01.2022 to 17.07.2022.

2. As per petition, '*Works Contract*' services rendered to Government authority and Government entity were subjected to GST @12%. The petitioner executed public works for HSVP which is a Government authority. The Union Government vide notifications No.22/2021-CT(R) dated 31.12.2021 read with Notification No.3/2022 CT(R) dated 13.07.2020 increased rate of tax from 12% to 18%. The Government of Haryana, Department of Finance vide letter dated 01.02.2023 allowed additional payment on account of increased rate of GST. Haryana Shehri Vikas Pradhikaran ('**HSVP**') also made payment on account of impact of increased rate of GST where work was allotted before 18.07.2022 but payment was made on or after 18.07.2022. The rate of tax was increased from 01.01.2022, however, HSVP paid enhanced rate of tax w.e.f. 18.07.2022.

3. Learned counsel for the petitioner submits that by Notification No.22/2021-Central Tax (Rate) dated 31.12.2021 issued by Central Government, expression '*Government Authority*' was excluded from the scope of entities liable to pay GST @ 12%. Consequently, w.e.f. 01.01.2022, '*Government Authority*' became liable to pay GST @ 18%. HSVP falls within the definition of '*Government Authority*', thus, it became liable to pay GST @ 18% w.e.f. 01.01.2022. The respondent vide communication dated 01.02.2023 agreed to pay GST @18% where contracts were entered into prior to 18.07.2022 but payment was made after the said date. The respondent was supposed to consider 01.01.2022 as cut off date instead of 18.07.2022.

4. On being confronted with notification dated 31.12.2021 (Annexure P-3) and communication dated 01.02.2023 (Annexure P-6), learned counsel for respondent Nos.2 to 9 submits that competent authority would reconsider the matter and corrective measures, if necessary, would be initiated.

5. Learned counsel for the petitioner agrees to the aforesaid arrangement.

6. In the wake of statement of both sides, the petition stands disposed of.

7. Let the needful be done within 2 months from today.

(JAGMOHAN BANSAL)
JUDGE

20.05.2026
Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No