



CNR: KAHC010629652026

NC: 2026:KHC:49967
WP No. 28678 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

**DATED THIS THE 15TH DAY OF SEPTEMBER,
2026**

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 28678 OF 2026 (T-RES)

BETWEEN:

M/S LAZARD INFRASTRUCTURE LLP
A LIMITED LIABILITY PARTNERSHIP REGISTERED
UNDER THE LIMITED LIABILITY
PARTNERSHIP ACT, 2008
HAVING OFFICE AT NO. 201 AND 202, KALPAK
ARCADE, 2ND FLOOR, 19,
CHURCH STREET, BENGALURU 560001
REP. BY ITS AUTHORISED REPRESENTATIVE
SHRI. VIKAS SETHIA

Digitally
signed by
VANAMALA
N

Location:
HIGH
COURT OF
KARNATAKA

...PETITIONER

(BY SRI. HEMANT VENKATRAY PAI, ADVOCATE FOR
SRI. LOCHANA S BABU., ADVOCATE)



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AND:

THE ASSISTANT COMMISSIONER OF
COMMERCIAL TAXES
LGSTO-20, NO. 19/3, 2ND FLOOR,
CUNNINGHAM ROAD,
BENGALURU - 560052

...RESPONDENT

(BY SMT. JYOTI M MARADI, HCGP)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE RESPONDENT TO UNBLOCK AND RESTORE THE INPUT TAX CREDIT OF RS. 3,81,407/- (RUPEES THREE LAKH EIGHTY-ONE THOUSAND FOUR HUNDRED SEVEN ONLY) IN THE ELECTRONIC CREDIT LEDGER OF THE PETITIONER. (ANNEXURE - A) AND,(II) DECLARE THAT THE ACTION OF THE RESPONDENT IN BLOCKING INPUT TAX CREDIT IN THE ELECTRONIC CREDIT LEDGER OF THE PETITIONER IS ULTRA VIRES THE PROVISIONS OF THE GST ACTS AND THE GST RULES, ARBITRARY, AND VIOLATIVE OF ARTICLES 14, 19(1)(G) AND 265 OF THE CONSTITUTION OF INDIA.



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

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

ORAL ORDER

The petitioner is a Limited Liability Partnership engaged in providing *construction services* to the different industrial establishments, and the petitioner's grievance is with the decision to block Input Tax Credit [ITC] for a value of Rs.3,81,407/-. The petitioner has produced screenshots of the portal [Annexure – D] to contend that its ITC for the afore value is blocked without any notice or pre-decisional hearing. Mr. Hemant Venkatray Pai, the learned counsel who appears for Ms. Lochana S. Babu who is on record for the petitioner, argues for interference emphasizing the afore.

Ms. Jyoti M. Maradi, a learned High Court Government Pleader, who accepts notice for the respondent cannot dispute that the petitioner is not



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issued with any Intimation of the possibility of ITC block or that the petitioner is not extended *pre-decisional hearing*, but the learned High Court Government Pleader places on record a Communication addressed by the Central GST Authorities to contend that the petitioner is identified as one of those entities which has received services from a non-existent entity and action must be taken to ensure that both the suppliers and the recipients do not take advantage of ITC.

If the learned High Court Government Pleader cannot dispute that the decision to block the petitioner's ITC for the value of Rs.3,81,407/- is without intimation or pre-decisional hearing, there will be reason for interference. Further, this Court, on perusal of the Communication addressed by the Central GST authorities, must observe that the Communication is only to *act as fit upon verification*. This Court, in the circumstances, must interfere



directing the respondent to unblock the blocked ITC but without prejudice to cause intimation and decide on blocking ITC after extending a pre-decisional hearing as repeatedly emphasized by this Court. In the light of the afore, the following.

ORDER

[A] The petition is allowed.

[B] The respondent, immediately upon receipt of a certified copy of this order, is directed to unblock the ITC for a value of Rs.3,81,407/- but without prejudice to begin the proceedings as observed.

Sd/-
(B M SHYAM PRASAD)
JUDGE

RB