

Director General of Anti-Profitteering v. Riddhi Siddhi Construction

Case number: NAPA/126/PB/2025

Citation: No neutral or reporter citation printed in the identified official order.

Decision date: 9 January 2026

F Residences Malad: no-contravention report accepted with the complainant's settlement/no-objection recital

Court: Goods and Services Tax Appellate Tribunal, Principal Bench, New Delhi, Anti-Profitteering Division

Bench: Shri Anil Kumar Gupta, Member (Technical), Single Bench Court No. 3

Decision stage: Final reasoned no-contravention disposal accepting the DGAP report for F Residences Malad; complainant's settlement recital is supporting history.

01 Facts of case and issues

A homebuyer complained that Riddhi Siddhi Construction had not passed on additional input tax credit after GST commenced through a commensurate reduction in the price of Unit 605 in F Residences Malad, Mumbai. The Standing Committee considered the complaint on 3 August 2022 and referred it for investigation under Rule 129.

DGAP's report dated 9 January 2025 concluded that no additional ITC benefit had accrued after GST, referring to the Delhi High Court's 29 January 2024 judgment in Reckitt Benckiser. After notice dated 11 November 2025, the complainant emailed on 18 November 2025 that the GST matter had been settled at possession and that he had no objection to the report. The question before GSTAT was whether to accept that investigated no-contravention conclusion.

Pinpoint: Unnumbered reasons beginning on physical p. 2 and continuing on physical p. 3; complaint, reference, report and email recitals.

02 Discussion by Hon'ble Tribunal

The Tribunal expressly considered the DGAP findings, the respondent's documents and the applicant's written consent, then accepted the report. Neither private party appeared at the 9 January 2026 hearing; the DGAP representative did. The closure therefore rests on adoption of the substantive no-benefit finding together with the written response, rather than simply on absence at the hearing.

The short order does not reproduce the project's comparative ITC ratios, underlying ledgers, investigation start/end dates, settlement amount or settlement documents. Those details cannot be supplied from the bare statement that the matter was settled. Its reference to the High Court methodology is reported background, not a fresh, detailed GSTAT computation.

The result is confined to the complaint and investigated project. It is not a general rule that a private settlement automatically extinguishes statutory anti-profitteering obligations or that the developer's other projects are cleared.

Pinpoint: Unnumbered investigation and email recitals, physical p. 3; Tribunal consideration and acceptance, physical p. 4.

03 Judicial decision and operative relief

GSTAT accepted the DGAP report dated 9 January 2025 recording no contravention of Section 171 and closed the proceedings. Copies were to be sent to the respondent, applicant and jurisdictional CGST/SGST Commissioner, Mumbai. The order was pronounced and dated 9 January 2026.

No quantified refund, fund deposit, interest or penalty was directed. The order does not adjudicate or quantify an independent settlement-payment obligation, and the actual terms or performance of the reported settlement have not been verified.

Pinpoint: Unnumbered operative concluding passage and signature/date block, physical p. 4; administrative summary, physical p. 2.

04 In favour of

Riddhi Siddhi Construction for F Residences Malad on the investigated record: the no-contravention report was accepted. Settlement terms and performance are not established by this note.

Final project-specific no-contravention disposal, with the complainant's written no-objection taken into account. No universal settlement exemption or quantified payment relief is inferred.

Pinpoint: Unnumbered concluding reasons and operative passage, physical p. 4.

05 AKHB REVIEW POINT

AKHB analysis: Retain the DGAP report, project accounts and buyer correspondence separately. A buyer's no-objection supports the factual record but is not a substitute for demonstrating the absence of additional ITC benefit.

Obtain the actual settlement and possession records before describing its consideration, payment date or discharge. The brief order supplies none of those details. Keep the 9 January 2025 investigation-report date separate from the 9 January 2026 Tribunal decision.

For another project, test the credit comparison and statutory benefit independently. This order's acceptance of a report should not be presented as a formula applicable to every development or as proof that settlement alone compels closure.

Pinpoint: AKHB commentary based on unnumbered reasons, physical pp. 2–4. Recommendations are distinct from the Tribunal's holding.

Sources and limitations

Relevant provisions

CGST Act 2017: Section 171; CGST Rules 2017: Rules 128 and 129; CGST Act 2017: Sections 109 and 171(2), institutional/current-law context; Central Tax Notifications 18/2024 and 19/2024, empowerment and new-request-cutoff context.

Statutory note

Checked 13 October 2026. Section 171(1) requires the benefit of a tax-rate reduction or ITC to be passed to recipients through commensurate price reduction. Notification 18/2024-Central Tax, issued under Section 171(2) read with Section 109(1) and the second proviso to Section 109(5), empowers the Principal Bench constituted under Section 109(3) from 1 October 2024. Notification 19/2024-Central Tax fixes 1 April 2025 as the date from which the authority shall not accept new examination requests. Its text does not repeal Section 171 or direct automatic termination of pending matters. This anti-profiteering jurisdiction must be distinguished from ordinary GST appellate jurisdiction; earlier NAA/CCI investigations are historical steps.

Treatment note

Checked 13 October 2026. No later case-specific stay, recall, reversal or appeal disposition was located in the bounded official-source searches. This is not certification that no proceeding or stay exists, or that the complete current docket has been checked. The Delhi High Court's 29 January 2024 Reckitt Benckiser judgment appears in further Supreme Court proceedings, including SLP(C) 12705/2024 in the 13 May 2026 cause list. Listing is not merits approval or a stay ruling, and the current complete Supreme Court docket was not verified.

Scope of source review

One final order of the GSTAT Principal Bench exercising anti-profiteering jurisdiction. DGAP reports and earlier NAA/CCI or High Court steps are history as recorded in this order unless a separate source is expressly identified. The administrative form is read with the signed reasons. Ordinary GST appeals, all State Benches and corpus-wide completeness are not covered.

Identity note

NAPA/126/PB/2025; order reference ZA070126000050H as printed; 9 January 2026. The DGAP report is dated 9 January 2025, one year earlier. The reasons are unnumbered, so this note uses physical-page and passage pinpoints rather than inventing paragraph numbers.

Primary source

Source description: Complete 4-page official PDF, including Form GST APL-04A and the final reasoned order. Every original page read and individually viewed; source bytes preserved. A fresh official download on 13 October 2026 was byte-identical to the retained original.

Official source: [Open source document](#)

Source pages: 4

Outcome type: final

Additional source

Central Tax Notification 18/2024 dated 30 September 2024

Source document: [Open source document](#)

Pinpoint: Paragraphs 1–2, physical p. 1: statutory power and commencement on 1 October 2024.

Central Tax Notification 19/2024 dated 30 September 2024

Source document: [Open source document](#)

Pinpoint: Operative paragraph, physical p. 1: 1 April 2025 cutoff for accepting examination requests.

CGST Act 2017, India Code compilation marked as at 11 June 2026

Source document: [Open source document](#)

Pinpoint: Sections 109 and 171; relevant statutory passages reviewed, not a complete legislative-update audit.

Reckitt Benckiser India Private Limited v. Union of India, Delhi High Court, 29 January 2024

Source document: [Open source document](#)

Pinpoint: W.P.(C) 7743/2019 and connected matters; background authority. This note does not claim final Supreme Court approval.

Supreme Court cause list for 13 May 2026

Source document: [Open source document](#)

Pinpoint: Physical p. 37, Reckitt SLP(C) 12705/2024. Listing evidence only, not a merits judgment or stay order.

Disclosures and source rights

AI disclosure: Prepared with AI assistance from the identified sources. No human legal review is claimed.

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Source checked: 13 October 2026