

GMG Tradelink Pvt. Ltd. v. Directorate General of GST Intelligence HQ and Others

Case number: W.P.(C) 16259/2025 with CM APPL. 66504/2025 (stay) and CM APPL. 66505/2025 (exemption)

Citation: 2025:DHC:9397-DB

Decision date: 27 October 2025

DGGI Principal Additional Director General's competence to provisionally attach bank accounts; fresh objections and communication of reasons

Court: Delhi High Court

Bench: Hon'ble Ms. Justice Prathiba M. Singh and Hon'ble Ms. Justice Shail Jain

Decision stage: Final rejection of the officer-competence objection and disposal of the writ with procedural safeguards. The Court did not adjudicate tax liability or all substantive grounds for attachment.

01 Facts of case and issues

GMG Tradelink challenged an order dated 6 March 2025 provisionally attaching two current accounts at ICICI Bank's Bhiwani Mandi Branch. The order had been made by the Principal Additional Director General, Directorate General of GST Intelligence, Headquarters. The petitioner's case was that this officer lacked authority under Section 83 of the CGST Act.

The petitioner also reported objections dated 2 September 2025 filed before the Commissioner, DGGI, New Delhi under Rule 159(5) of the CGST Rules. Those objections concerned the attaching authority's competence. The issue before the Court was whether the notified status of the Principal Additional Director General answered that challenge and what opportunity remained to contest the attachment.

Pinpoint: Paragraphs 3–8, physical pp. 1–3.

02 Discussion by Hon'ble Court

The Court reproduced Section 83, which conditions provisional attachment on the requisite proceedings and the Commissioner's opinion that attachment is necessary to protect revenue, and provides for cessation after one year from the attachment order. The judgment's decisive reasoning, however, concerns the officer's competence.

Revenue produced Notification No. 14/2017–Central Tax dated 1 July 2017. The notification appoints specified directorate officers as central tax officers and invests them, throughout India, with the statutory powers exercisable by the corresponding ranks in its table. Row 3 specifically places the Principal Additional Director General, Goods and Services Tax Intelligence, alongside the Principal Commissioner. The Court held that the petitioner's competence plea was unsustainable in view of this notification.

The ruling is rank-specific. Row 4 separately addresses the Additional Director General, and lower ranks occupy other rows. It should not be expanded into a holding that every DGGI officer may exercise every Commissioner-level function. Nor did the Bench determine whether all factual conditions for this attachment or any underlying tax demand had been established.

Pinpoint: Paragraph 7, physical p. 2; paragraphs 10–12, physical pp. 3–5; notification image and row 3 at physical p. 4.

03 Judicial decision and operative relief

The officer-competence objection failed. The petitioner was permitted to file fresh objections to the provisional attachment. Upon their filing, the reasons for the attachment were to be communicated to it within two weeks. After that communication, all remedies remained available in accordance with law. The writ petition and pending applications were disposed of.

The two-week direction is for communicating reasons after fresh objections are filed; it is not an unconditional two-week deadline from the judgment date for releasing the accounts or finally deciding every objection. This judgment did not quash the attachment, direct defreezing, grant the stay application, or decide tax liability. The exemption application had separately been allowed subject to all just exceptions.

Pinpoint: Paragraph 2, physical p. 1; paragraphs 12–15, physical p. 5.

04 In favour of

Revenue on the attaching officer's competence. The taxpayer received permission for fresh objections, a time-bound communication of reasons and preservation of lawful remedies. No release of the accounts was ordered in this judgment.

Final writ disposal with a substantive competence ruling against the taxpayer and limited procedural protection. A separately verified March 2026 same-party proceeding is discussed below; its relationship to the particular attachment and accounts in this writ is not conclusively established.

Pinpoint: Paragraphs 12–15, physical p. 5; see the separately identified later-order note.

05 AKHB REVIEW POINT

AKHB analysis: Check the exact designation of the signatory and the corresponding row of the appointment notification before advancing a competence challenge. Keep that question separate from the existence of qualifying proceedings, the recorded necessity to protect revenue, the attached property, proportionality and the statutory lifespan of an attachment. These are review steps, not additional findings in this case.

A fresh objection should identify the particular attachment, seek its reasons and address the actual grounds supported by the record. Preserve proof of filing to establish the trigger for the two-week communication direction. Check each order's date and any separate legal restraint before assuming that an account remains frozen or must be released. Later proceedings involving the same company must be matched by order and account identity rather than party name alone.

Pinpoint: AKHB commentary based on paragraphs 3–8 and 10–14; practical recommendations are distinct from the Court's holding.

Sources and limitations

Relevant provisions

Constitution of India: Article 226. CGST Act 2017: Section 83; Section 122(1A) appears within the reproduced Section 83 text. CGST Rules 2017: Rule 159(5). Notification No. 14/2017–Central Tax dated 1 July 2017: table row 3. CGST Act Sections 3 and 5 form part of the notification’s stated statutory foundation. IGST Act Section 3 is also part of the notification’s stated statutory foundation. CGST Act Section 2(24) is separately checked statutory context, not an express provision discussed by the Bench.

Statutory note

Checked 13 October 2026. The complete official Notification No. 14/2017–Central Tax confirms the row 3 mapping visible in the judgment. Its statutory foundation expressly distinguishes Sections 3 and 5 of the CGST Act from Section 3 of the IGST Act. The separately read Notification No. 01/2023–Central Tax dated 4 January 2023 inserts row 8A for Additional Assistant Directors and Superintendent powers; that amendment does not alter row 3.

India Code’s CGST compilation, physical pp. 12 and 75, confirms that the definition of Commissioner includes the Principal Commissioner and reproduces Section 83’s conditions and one-year cessation rule. Its footnote identifies substitution of Section 83(1) effective 1 January 2022. This is supplementary statutory verification, not reasoning expressly added by the Court.

The CBIC compilation as amended to 1 January 2022, physical pp. 171–172, records Rule 159(5)’s objection in FORM GST DRC-22A, hearing opportunity and potential release by FORM GST DRC-23. The amendment footnote replaces the earlier seven-day wording; this note does not revive that old deadline. The GST Council’s official October 2023 amendment material, physical p. 43, records Notification No. 52/2023’s addition of one-year expiry to Rule 159(2). These are targeted checks of the identified provisions and amendments, not an exhaustive current rules or notification audit.

Treatment note

Checked 13 October 2026. The official Delhi High Court casewise result for W.P.(C) 16259/2025 returned one entry, dated 27 October 2025, matching the retained judgment and neutral citation; the corrigendum field was NA. No later order appeared in that returned set. The separate party-confirmation response was empty, so it supplies no status conclusion.

A later same-party proceeding was verified from the official two-page order in GMG Tradelink Pvt. Ltd. v. Directorate General of GST Intelligence HQ and Another, W.P.(C) 3702/2026, dated 23 March 2026, before Nitin Wasudeo Sambre and Ajay Digpaul JJ. Paragraphs 3–7 record freezing on 7 March 2025, expiry of one year on 6 March 2026, and direct forthwith defreezing, subject to the accounts not being required in any other proceedings. The later docket returned that single order and identified the case as disposed.

The later order does not cite W.P.(C) 16259/2025, give account numbers or identify the earlier attachment order. This judgment concerns an order dated 6 March 2025, whereas the later order describes freezing on 7 March 2025. The sources therefore do not conclusively establish that both proceedings concern the same attachment and accounts. The later order is neither a verified appellate reversal of the competence ruling nor proof that the specific October-writ accounts were actually released.

Bounded web searches using the party, writ number and neutral citation with appeal, review, stay and Supreme Court terms, including official court domains, did not verify a direct appellate reversal, stay or review modification. Secondary summaries were leads only. No comprehensive Supreme Court registry, citator or post-order bank-compliance check is claimed.

Scope of source review

All five physical pages of the original judgment were fully read and individually visually inspected. The embedded notification at physical p. 4 is an image and is absent from ordinary extracted text; its row 3 was read directly from the page artwork and checked against the complete two-page official notification. The complete one-page 2023 notification and both pages of the later GMG order were separately read and viewed. Statutory compilations and the amendment presentation were reviewed only at the identified provisions/pages.

Source notes

The decision date is 27 October 2025; the digital signing date shown is 28 October 2025. Neutral citation 2025:DHC:9397-DB is visible in the artwork and independently confirmed by the official returned judgment record. No reserved date is stated. Fresh original bytes match the retained five-page source exactly; cryptographic signature validation is not claimed. The original attachment order, objection application, bank correspondence and later writ's prayer clause were not separately obtained. Bank-account numbers and counsel contact details are omitted from this note as unnecessary to the legal analysis. No tax or attachment amount is stated in the judgment.

Primary source

Source description: Complete official five-page Delhi High Court judgment; fresh official PDF is byte-identical to the retained original.

Official source: [Open source document](#)

Source pages: 5

Judgment author: Prathiba M. Singh, J. (oral judgment)

Outcome type: final competence objection rejected with procedural liberty

Additional source

Official Notification No. 14/2017–Central Tax dated 1 July 2017

Official source: [Open source document](#)

Pinpoint: Physical p. 1, enabling paragraph and table row 3; p. 2, commencement. Complete two-page notification read and viewed, checked 13 October 2026.

Official Notification No. 01/2023–Central Tax dated 4 January 2023

Official source: [Open source document](#)

Pinpoint: One-page notification inserts row 8A without changing row 3; checked 13 October 2026.

India Code CGST Act compilation

Official source: [Open source document](#)

Pinpoint: Physical p. 12, Section 2(24); physical p. 75, Section 83 and substitution footnote. Targeted text check on 13 October 2026.

CBIC CGST Rules compilation as amended to 1 January 2022

Official source: [Open source document](#)

Pinpoint: Physical pp. 171–172, printed pp. 168–169, Rule 159 and amendment footnotes; historical compilation checked 13 October 2026.

GST Council official October 2023 amendment material

Official source: [Open source document](#)

Pinpoint: Physical p. 43, Notification No. 52/2023–Central Tax amendment to Rule 159(2); targeted check on 13 October 2026.

Delhi High Court official casewise order search

Official source: [Open source document](#)

Pinpoint: W.P.(C) 16259/2025 and separate W.P.(C) 3702/2026; one order returned for each on 13 October 2026. Interactive search may be required.

Delhi High Court same-party order dated 23 March 2026

Official source: [Open source document](#)

Pinpoint: W.P.(C) 3702/2026, paragraphs 3–7, physical pp. 1–2. Same party; the identity of the attachment/accounts with the earlier writ is not conclusively established. Checked 13 October 2026.

Disclosures and source rights

AI disclosure: Prepared with AI assistance from the complete official judgment and identified primary sources. No human legal review is claimed.

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Source checked: 13 October 2026

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