

Pranav Mehta

Recently, the Hon'ble High Court of Calcutta in the case of Shiva Chemicals vs. Assistant Commissioner of Revenue, State Tax, Jorasanko and Jorabagan Charge, [2024] 165 taxmann.com 13 (Calcutta) has held that an order passed by the Appellate Authority denying ITC without considering the documents produced by the taxpayer with respect to issue of movement of goods and testing out whether e-way bills, tax invoices, bank statements and party ledger matches with the transactions suffers from non- applicability of mind and is perverse. Facts of the case: SCN was issued to the petitioner no. 1 for availing and utilizing Input Tax Credit (in short "ITC") amounting to Rs.18,79,978/- against the claimed supply received from Dhiraj Kumar Sharma, Prakash Prasad, Arnab Das and Gopal Das (hereinafter referred to as "suppliers") for the period from September 2017 to June 2020.....