IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE THE CHIEF JUSTICE SRI APARESH KUMAR SINGH
AND
THE HONOURABLE SRI JUSTICE G.M. MOHIUDDIN

WRIT PETITION NO: 27544 OF 2026

Between:

M/s Underscore Aimlabs Private Limited, Represented by its Director, Suresh Reddy Venkata Rama Krishna Guntaka, aged about 45 years, G-1, Sril Pride Park, Vasanth Nagar, Hydernagar Kukatpally, Medchal Malkajgiri, Telangana, 500049.

...PETITIONER

AND

1. The Superintendent of Central Tax, Kukatpally CGST Range, Kukatpally CGST Division, Lords Court Building, Plot No. 80 & 81, A.S. Raju Nagar, Kukatpally, Hyderabad, Telangana - 500072.
2. The Joint Commissioner of Central Tax (Appeals), Appeals-II Commissionerate, Basheerbagh, Hyderabad-500004.
3. Union of India, Represented by its Secretary, Department of Revenue, Ministry of Finance, North Block, New Delhi- 110001

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ or order or direction particularly one in the nature of Writ of Mandamus setting aside the Order for Cancellation of Registration passed by the first respondent in Form GST REG - 19, vide Ref. No. ZA360725127699X, dated 17.07.2025 read with order in FORM GST REG-05 vide Reference No. ZA3608250678910 dated 28-08-2025 as arbitrary, illegal, contrary to the provisions of the CGST Act, 2017/ TGST Act 2017, and contrary to the Judicial pronouncements of this Hon'ble Court on the self-same subject and violation of Article 19(1)(g) of the Constitution of India.

I.A. NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the Order for Cancellation of Registration passed by the first respondent in Form GST REG - 19, vide Ref. No. ZA360725127699X, dated 17.07.2025 read with Order in FORM GST REG-05 vide Reference No. ZA3608250678910 dated 28-08-2025, Pending disposal of the Writ Petition.

Counsel for the Petitioner: SRI PUPPALA BHARATH NANDAN

**Counsel for the Respondent No.1 & 2: SRI DOMINIC FERNANDES,
Sr. SC FOR CBIC**

**Counsel for the Respondent No.3: SRI P.SHASHI KIRAN,
SC FOR CENTRAL GOVT.,**

The Court made the following: ORDER

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

The Hon'ble The Chief Justice Sri Aparesh Kumar Singh
And
The Hon'ble Sri Justice G.M.Mohiuddin

Writ Petition No.27544 of 2026

Dated: 21.08.2026

Between:

M/s. Underscore Aimlabs Private Limited,
Rep. by its Director, Suresh Reddy Venkata Rama Krishna Guntaka,
Hydernagar, Kukatpally, Medchal-Malkajgiri, Telangana.

... Petitioner

AND

The Superintendent of Central Tax,
Kukatpally CGST Range, Kukatpally CGST Division,
Kukatpally, Hyderabad and 2 others.

... Respondents

ORDER:

Heard Mr. Puppala Bharath Nandan, learned counsel for the petitioner; Mr. Dominic Fernandes, learned Senior Standing Counsel for Central Board of Indirect Taxes and Customs (CBIC), appears for respondent Nos.1 and 2 and Mr. P. Shashi Kiran, learned Standing Counsel for Central Government, appears for respondent No.3.

2. The Goods and Services Tax (GST) registration certificate of the petitioner bearing No.36AACCU1729M1Z2 was cancelled *vide* order in

Form GST REG-19 dated 17.07.2025 against which he preferred revocation application for cancellation of registration on 14.08.2025 upon which show cause notice was issued on 17.08.2025 in Form GST REG-23 which remained unreplied leading to rejection of the revocation application on 28.08.2025. The reason for cancellation was for non-filing of returns for a consecutive period of six months. The petitioner also pursued an appellate remedy which, however, was time barred and accordingly, the appeal was not entertained as per acknowledgment in Form GST APL-02 under Rule 108(3) of the Central Goods and Services Tax Act, 2017.

3. Learned counsel for the petitioner submits that non-filing of returns was for the reason that the accountant left the firm abruptly without intimation. Petitioner could not file a reply to the show cause notice on its application for revocation due to family emergency with the Managing Director. He submits that if an opportunity is given to the petitioner to file reply by setting aside the rejection of the application for revocation, the matter could be decided on merits.

4. Learned Senior Standing Counsel for CBIC submits that the apparent reason for cancellation of registration is non-filing of returns. On its revocation application, petitioner was also asked to furnish an undertaking to pay all the outstanding taxes which it not only failed to

respond, but also did not pay. Therefore, the revocation application was rejected. Petitioner also did not prefer the appeal within the time period, as a result, the same was not acknowledged as the acknowledgement says that the appeal was time barred. In such circumstances, the petitioner has not been diligent in pursuing its remedies.

5. We have considered the submissions of the learned counsel for the parties.

6. Having regard to the facts and circumstances noted above, since it appears that there were medical grounds for the inability in filing a reply to the show cause notice on its application for revocation, we are inclined to allow the petitioner an opportunity to file the reply to the show cause notice and at the same time undertake to pay the outstanding dues of tax, interest and penalty according to Rule 23 of the Central Goods and Services Tax Rules, 2017.

7. In view of the aforesaid reasons, the impugned order of rejection of application for revocation of cancellation of registration dated 28.08.2025 is set aside. Petitioner shall file its reply within a period of one week from today along with the undertaking. If such reply is filed to the show cause notice issued on his application for revocation of the order of cancellation of GST registration, the competent authority shall

consider it and pass an appropriate order in accordance with law within there weeks thereafter.

8. The writ petition is accordingly disposed of. No order as to costs. Miscellaneous applications pending, if any, shall stand closed.

SD/- A.H.S.GOWRI SHANKAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Superintendent of Central Tax, Kukatpally CGST Range, Kukatpally CGST Division, Lords Court Building, Plot No. 80 & 81, A.S. Raju Nagar, Kukatpally. Hyderabad. Telangana - 500072.
2. The Joint Commissioner of Central Tax (Appeals), Appeals-II Commissionerate, Basheerbagh, Hyderabad-500004.
3. The Secretary. Department of Revenue, Ministry of Finance, North Block, New Delhi, Union of India- 110001
4. One CC to SRI PUPPALA BHARATH NANDAN, Advocate [OPUC]
5. One CC to SRI DOMINIC FERNANDES, Sr. SC FOR CBIC [OPUC]
6. One CC to SRI P.SHASHI KIRAN, SC FOR CENTRAL GOVT., [OPUC]
7. Two CD Copies

BSR

TKS

HIGH COURT

DATED: 21/08/2026

ORDER

WP.No.27544 of 2026

HIGH COURT FOR THE STATE OF TELANGANA
15 SEP 2026
★ DESPATCHED ★

DISPOSING OF THE WRIT PETITION,

WITHOUT COSTS

5/9/26