GSTAT

Single Bench Court No. 2

NAPA/26/PB/2025

DGAP	**............Appellant**

Versus

IREO VICTORY VALLEY PVT. LTD.	**............Respondent**
Counsel for Appellant	**Counsel for Respondent**

Hon'ble Justice (Retd.) Sh. Mayank Kumar Jain, Member(Judicial)

Form GST APL-04A

[See rules 113(1) & 115]

Summary of the order and demand after issue of order by the GST Appellate Tribunal

whether remand order : No

Order reference no. : ZA071025000083H **Date of order :** 17/10/2025

1.	GSTIN/Temporary ID/UIN - 06AACC13203N1ZQ	
2.	Appeal Case Reference no. - NAPA/26/PB/2025	Date - 18/09/2024
3.	Name of the appellant - DGAP , dgap.cbic@gov.in , 011-23741544	
4.	Name of the respondant - 1. Ireo Victory Valley Pvt. Ltd. , gaurav.bansal@ireo.in	
5.	Order appealed against -	

	(5.1) Order Type -	
	(5.2) Ref Number -	Date -
6.	Personal Hearing - 17/10/2025 13/10/2025	
7.	Status of Order under Appeal - Confirmed – Order under Appeal is confirmed	
8.	Order in brief - It is concluded that the Respondent has not contravened with any provisions as contained under section 171(1) of the CGST, Act, 2017, the report of the DGAP dated 23.05.2025 deserves to be accepted. The report submitted by DGAP dated 23.05.2025 is accordingly accepted.	
Summary of Order		
9.	Type of order : Closure Report	

Place :DELHIPB

Signature

Date : 17.10.2025

DELHIPB Priya Sharma

Designation : Stenographer/Law researcher

Jurisdiction :Delhi (PB)

<u>Final order</u>

1. Heard Ms.Geetanjali, Inspector,on behalf of the DGAP.
2. Perused the record.
3. Fact giving rise to the presentproceedings are thaton the basis of recommendation made by Anti-Profiteering Authority (hereinafter referred to as NAA) in case of M/s Ireo Grace Residency Pvt. Ltd., Ireo Campus-Sector-59, Archview Drive, Ireo City, Golf Course Extension Road, Gurgram- 122101 (hereinafter referred to as Respondent) further investigate was directed to be conducted to other

projects of the Respondent for violation of provisions under section 171 of the Central Goods & Services Tax (CGST), Act, 2017.

4. The Respondent informed that there were several projects with the brand name "IREO" in different firms, out of all the projects the Respondent has admitted that benefit of Additional Input Tax Credit has accrued only in 2 projects "Gurgaon Hills" and "Grand Hyatt Residency" in 2 different legal firms "Ireo Pvt. Ltd." and "Ireo Residency Pvt. Ltd.".

5. Regarding its projects namely "Victory Valley" and "Ireo Waterfront" occupation certificate has been received by the Respondent for same phases in post GST period. The Respondent did not claimany benefit of Additional Input Tax Credit.

6. The investigation covers the period from 31.07.2017 to 31.12.2020.

7. The DGAP conducted its investigation and arrived at the conclusion that for the project "Ireo Victory Valley" part occupancy certificate was received on 25.07.2016 and the occupancy certificate for the balance part was received on 28.09.2017. The subject project under investigation was almost completed in the pre-GST regime itself the left out portion of construction was also completed immediately after implementation of GST i.e. September, 2017. It was concluded by DGAP that post GST no benefit of Additional Input Tax Credit accrued to Respondent during the period from 01.07.2017 to 31.12.2020.

8. The DGAP also concluded that post-GST period no benefit of Input Tax Credit accrued to the Respondent, therefore,Respondent have not contravened any provisions contained in section 171 of the CGST, Act, 2017.

9. The report was considered by NAA. Vide its order dated 22.08.2022 the NAA directed DGAP to re-investigate the matter in following points:-

i) The Respondent in his own submissions claimed that he has built 147 EWS units, however, the Occupancy certificate received on 25.07.2016 and 28.09.2017 has mismatched figure of 168(147+21) EWS units. The details of 21 EWS indicated in OC dated 25.07.2018 has not been discussed in the DGAP report dated 28.10.2021.

ii) In the table A of the DGAP Report, Total ITC figures belonging to 951 units (Residential, retail and EWS) have been considered however, the turnover of retail units has not been considered in DGAP report.

iii) The details of reversal of ITC on receiving of OC has also not been discussed in the DGAP report.

10. Pursuant to the order passed by NAA, the DGAP conducted further investigation and dealt with the aforesaid issuesas described in its report dated 28.09.2022.

11. The matter came up before the Competition Commission of India (CCI), the erstwhile authority having jurisdiction of the matters pertaining to Anti-Profiteering. The CCI vide its order dated 21.03.2024 directed the DGAP to re-investigate the matter in light of the judgment passed in Writ Petition (C) No. 7743/2019by Hon'ble High Court of Delhi, dated 29.01.2024.

12. Pursuant to the aforesaid order the DGAP conducted further investigation and again arrived at the conclusion that the Respondent has not contravened any provision contemplated under section 171(1) of the CGST, Act, 2017.

13. Ms. Geetanjali, representative of DGAP, has submitted that number of timesthe matter was investigated and examined by DGAP extensively. On the basis of investigation, no contravention of the provision under section 171(1) of the CGST, Act, 2017 was found on the part of the respondent.

14. In view of the foregoing facts and circumstances as referred above, as the investigation was conducted by the DGAP on several occasions, under the direction of the higher authorities and it is concluded that the Respondent has not contravened with any provisions as contained under section 171(1) of the CGST, Act, 2017, the report of the DGAP dated 23.05.2025 deserves to be accepted.

15. The report submitted by DGAP dated 23.05.2025 is accordingly accepted.

16. Consign the record.

17. A copy of this order be supplied to the Respondent and to the concerned Commissionerate CGST/SGST for necessary action, if any.

18. Final order signed, dated and pronounced in open court today.

Date: 17.10.2025 (Justice Mayank Kumar Jain(Retd.))

P.S.

Judicial Member,

GST Appellate Tribunal,

Principal Bench, New Delhi

Digitally signed by MAYANK KUMAR JAIN
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