Subodh Vora & Co. Chartered Accountants

Update No: 3 of 2022

Date: 07.05.2022



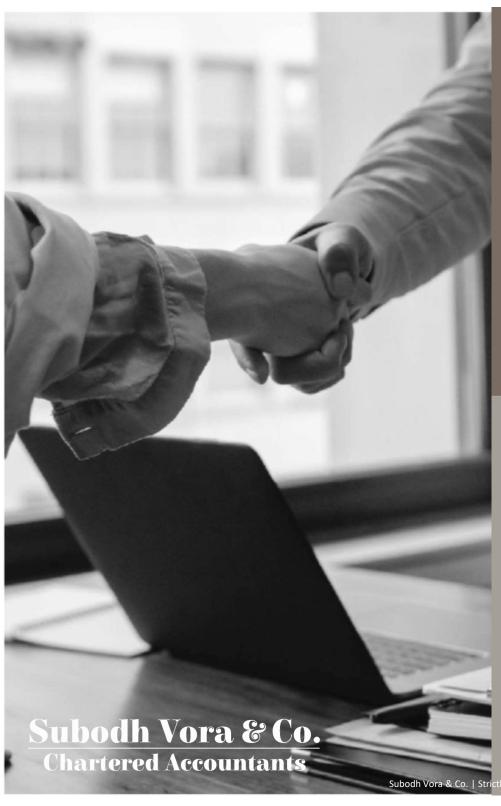
GST High Court Update



Gujarat High Court in case of Munjaal Bhatt v. Union of India – [R/SCA/1350/2021]

- In case of builder/ developer, the Government has granted fixed 1/3rd land deduction from taxable value towards value of land.
- Thus while levying GST to its customers, builder use to claim standard 1/3rd deduction and levy GST at applicable rate on balance portion.
- The 1/3rd land abatement is provided under GST Law irrespective of location, type, quality and other characteristics of the land.
- The Gujarat High Court in captioned case has upheld that Deeming fiction of 1/3 value of land or undivided share in land as per para 2 of impugned notification would not be mandatory and would be available at the option of taxable person
- The HC has held that if the value of land or undivided share in land would not be ascertainable, then this deeming fiction of 1/3rd value of land can be taken and that too at the option of the taxable person.

Subodh Vora & Co. | Strictly Private & Confidential. All rights reserved



THANK YOU



D-723/ 724, Neelkanth Business Park, Vidyavihar (West), Mumbai 400086



022-25148595 | 022-2514859 I

+91 9152729402 | +91 9152729403 |

+91 8291466022



www.scvora.com

PARTNERS

Subodh Vora

M: +91-9821151467 | E: subodh@scvora.com

Kush Vora

M: +91-9821305187| E: kush.vora@scvora.com

Bhakti Vora

M: +91-9821362481| E: bhakti.vora@scvora.com

Piyush Gada

M: +91-9773434725| E: piyush.gada@scvora.com

Subodh Vora & Co. | Strictly Private & Confidential. All rights reserved