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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/714/2025

SAWARMAL KHEMKA AND SONS HUF
REPRESENTED BY ITS KARTA SRI AMIT KHEMKA, AGE 48 YRS.
S/O- SAWARMAL KHEMKA,
HAVING ITS OFFICE ADDRESS AT M/S SENUA HARDWARE STORE, FANCY
BAZAR, GUWAHATI-01, KAMRUP METRO, ASSAM

VERSUS

THE UNION OF INDIA
MINISTRY OF COMMUNICATIONS, DEPARTMENT OF POSTS, GOVT OF
INDIA, NEW DELHI-01

2:THE CHIEF POSTMASTER GENERAL
ASSAM CIRCLE
MEGHDOOT BHAWAN
5TH FLOOR
KACHARI
PAN BAZAR
GUWAHATI-01
KAMRUP METRO
ASSAM

3:THE POSTMASTER GPO
MEGHDOOT BHAWAN
KACHARI
PAN BAZAAR
GUWAHATI-01
KAMRUP METRO
ASSAM

4:THE SENIOR SUPERINTENDENT OF POST OFFICES
DEPARTMENT OF POSTS INDIA

GUWAHATI DIVISION
GUWAHATI-01

5:THE SENIOR POSTMASTER
DEPARTMENT OF POSTS
GUWAHATI GPO
MEGHDOOT BHAWAN
KACHARI
PAN BAZAAR
GUWAHATI-01
KAMRUP METRO
ASSA

Advocate for the Petitioner : MS. NAMRATA BARUAH, MR. MEHUL SHAH, M KABRA, MR. S AGARWAL, MR. A KABRA

Advocate for the Respondent : DY.S.G.I.,

BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA

ORDER

12.02.2025

Heard Mr. A. Kabra, learned counsel for the petitioner. Also heard Mr. D. Chakraborty, learned counsel appears for all the respondents.

The petitioner is an HUF and is represented by the Karta of the HUF. The grievances of the petitioner is that the PPF account which is open in the Guwahati Post Office, Pan Bazar, Guwahati in the name of the HUF, it is submitted that while the respondents are inclined to release the principle amount, they are refusing to release the interest.

Mr. B Chakraborty, learned counsel for the respondents submits that in view of the Ministry of Finance vide Notification No. 2/8/2005-NS II dated 13.05.2005 and Ministry of Finance Notification No. 291(E) dated 13.05.2005, HUF account cannot be opened on or after 13.05.2005 and the said PPF was opened on 06.06.2005 and therefore they are not entitled to any interest. Mr. B. Chakraborty however submits

that he would like to complete his instructions in the matter.

Matter be listed again on 28.02.2025 by which time the respondents will complete their instruction in the matter.

In order to enable the learned counsel for the respondent to obtain instructions extra copies be furnished within one week within the course of this week.

List on 28.02.2025.

JUDGE

Comparing Assistant