$~13

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ **W.P.(C) 14777/2025**

RAJIV KUMAR GUPTA .....Petitioner

Through: Mr Nitin Gupta, Mr Ayush Chauhan, Ms Tia Sachdeva, Advocates.

versus

ASSISTANT COMMISSIONER OF INCOME TAX CERNTARL CIRCLE 5 DELHI .....Respondent

Through: Mr. Sunil Agarwal, SSC Mr. Shivansh B. Pandya, Mr. Viplav Acharya, Ms. Priya Sarkar, JSCs and Mr. Utkarsh Tiwari, Advocate.

CORAM:
HON'BLE MR. JUSTICE V. KAMESWAR RAO
HON'BLE MR. JUSTICE VINOD KUMAR

O R D E R

% 13.10.2025

1. This petition has been filed with the following prayer:-

> *"(a) Pass an appropriate Writ/Order/Direction, directing the Respondent to immediately release the seized amount of Rs.70,00,000/- (Rupees Seventy Lakhs only) which was seized during the course of the search and seizure proceedings, along with the applicable interest under Section 132B(4) of The Income Tax Act, 1961 till the date of assessment and 12% interest from the date of assessment till the date of payment thereof, to the Petitioner; and"*

2. On the last date of hearing, the learned counsel for the respondent had sought time to take instructions. At this stage, the learned counsel for the petitioner states that the seized amount of Rs.70.00 Lacs has been released to the petitioner on 03.10.2025. His only submission is that the

interest thereon has not been granted.

3. On this, Mr Sunil Agarwal, submits that the issue of grant of interest shall be considered by the Assessing Officer (AO) within a period of six weeks from today, as an outer limit.

4. If that be so, we dispose of the writ petition by directing the AO to consider the issue of grant of interest in accordance with law and communicate its decision to the petitioner. If the petitioner is entitled to the interest, the same shall be released within four weeks thereafter, but if the petitioner is aggrieved by any order to be passed, liberty shall be with the petitioner to seek the remedy, as available in accordance with law.

5. The petition is disposed of.

V. KAMESWAR RAO, J

VINOD KUMAR, J

OCTOBER 13, 2025

M