



WP(C)No.38316/2025 & Con.Cases 1

CR

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

THURSDAY, THE 8<sup>TH</sup> DAY OF JANUARY 2026 / 18TH POUSHA, 1947

WP(C) NO. 38316 OF 2025

PETITIONER/S:

- 1 E.P. GOPAKUMAR,  
AGED 73 YEARS  
S/O. LATE KRISHNANKUTTY MENON, FLAT NO. 11-I, DD NEST,  
THAMMANAM - PUTHUPPADY ROAD, KALOOR, KOCHI, PIN -  
682017
- 2 A.R. SURYANARAYANAN,  
AGED 65 YEARS  
S/O. LATE A.K. RADHAKRISHNAN, 31/1196, NEAR  
BHUVANESWARI TEMPLE, BHUVANESWARI ROAD, PONNURUNNI,  
VYTTILA, KOCHI, PIN - 682019
- 3 RAJAN SAMUEL,  
AGED 69 YEARS  
S/O T.J. SAMUEL GRACE VILLA, RECCAA VALLEY ROAD,  
KAKKANAD, KOCHI, PIN - 682030
- 4 K. MOHANAKUMARAN,  
AGED 67 YEARS  
S/O C. RAMAN VAISHNAVAM, 613-B, KUTTY OUSO ROAD, SOUTH  
CHITTOOR, CHRIST NAGAR, KOCHI, PIN - 682030
- 5 FEDERATION OF BANK OF INDIA PENSIONERS' & RETIREES'  
ASSOCIATIONS C/O. BANK OF INDIA, (REG NO.  
GUJ/21314) PTI BUILDING, 4- SANSAD MARG, NEW DELHI  
REPRESENTED BY ITS VICE PRESIDENT MR. JOHN PHILIPOSE,  
AGED 72 YEARS, S/O. V.J. PHILIPOSE, T.C. - 48/2513,  
SREEHILLS LANE, THIRUMALA P.O., THIRUVANANTHAPURAM, PIN  
- 110001

BY ADVS.  
SRI.V.K.PRASAD



WP(C)No.38316/2025 & Con.Cases 2

SMT.JOSNA.C.F

RESPONDENT/S:

- 1 UNION OF INDIA,  
REPRESENTED BY ITS SECRETARY (DEPARTMENT OF REVENUE)  
MINISTRY OF FINANCE, GOVERNMENT OF INDIA, NEW DELHI,  
PIN - 110001
- 2 GOODS & SERVICES TAX COUNCIL,  
MINISTRY OF FINANCE, REPRESENTED BY ITS CHAIRMAN,  
HAVING ITS OFFICE AT NORTH BLOCK NEW DELHI, PIN -  
110001
- 3 BANK OF INDIA,  
REPRESENTED BY ITS MD & CEO STAR HOUSE, C-5,  
'G'BLOCK, BANDRA - KURLA COMPLEX, BANDRA (EAST),  
MUMBAI, PIN - 400051
- 4 DEPUTY GENERAL MANAGER  
HR DEPARTMENT, BANK OF INDIA, STAR HOUSE, C-5,'G'  
BLOCK, BANDRA - KURLA COMPLEX, BANDRA (EAST), MUMBAI,  
PIN - 400051
- 5 INDIAN BANKS' ASSOCIATION  
REPRESENTED BY ITS SENIOR ADVISOR WORLD TRADE CENTRE,  
6TH FLOOR CENTRE 1 BUILDING, CUFFE PARADE, MUMBAI,  
MAHARASHTRA, PIN - 400005
- 6 NATIONAL INSURANCE COMPANY LTD.,  
NATIONAL INSURANCE BUILDING, 2ND FLOOR, 14, JAMSHEDJI  
TATA ROAD, CHURCHGATE, MUMBAI REPRESENTED BY ITS MD &  
CEO, PIN - 400020

BY ADVS.

SHRI.PRAVEEN K.S., CGC

SRI.P.R.SREEJITH, SR.STANDING COUNSEL FOR THE CGST

SHRI.V.GIRISHKUMAR, SC, CENTRAL BOARD OF INDIRECT  
TAXES AND CUSTOMS

SRI.P.FAZIL

SRI.JITHIN PAUL VARGHESE

SRI.SAJU THALIATH

SMT.C.PRABITHA

SHRI.FADIL FAZIL

SMT.ASWATHY JAYACHANDRAN

SMT.AKSHAYA THOMAS



2025:KER:95583

WP(C)No.38316/2025 & Con.Cases 3

**SRI.GEORGE CHERIAN (SR.) FOR R6**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10.12.2025 ALONG WITH WP(C)NOS.36636/2025, 37812/2025 AND CONNECTED CASES, THE COURT ON 8.1.2026 DELIVERED THE FOLLOWING:**



WP(C)No.38316/2025 & Con.Cases 4

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

THURSDAY, THE 8<sup>TH</sup> DAY OF JANUARY 2026 / 18TH POUSHA, 1947

WP(C) NO. 36636 OF 2025

PETITIONER/S:

- 1 VINOD MUKUNDAN  
AGED 72 YEARS  
S/O KELOTH MUKUNDAN, 'VISHAK' 34/2018 B MBCRRA 172 BTS  
CROSS ROAD EDAPPALLY, KOCHI, PIN - 682024
- 2 K. SASIDHARAN NAIR  
AGED 72 YEARS  
S/O NARAYANAN NAIR, PANCHAJANYAM' 50/291- C PRASHANTH  
NAGAR EDAPPALLY, KOCHI, PIN - 682024
- 3 K.P. UDHAYABHANU  
AGED 70 YEARS  
S/O K.C GOPALAN ARA 42, KAIPILLIL HOUSE, K.K  
PADMANABHAN ROAD AYYAPPANKAVU, ERNAKULUAM, PIN -  
682018
- 4 ALL INDIA UNION BANK PENSIONERS & RETIREES FEDERATION  
NO. 163/4, KUTCHERY ROAD, MYLAPORE, CHENNAI,  
REPRESENTED BY ITS WORKING PRESIDENT MR. P.B THOMAS,  
PIN - 600004

BY ADVS.  
SRI.V.K.PRASAD  
SMT.JOSNA.C.F  
SMT.RINTU PAUL

RESPONDENT/S:

- 1 UNION OF INDIA  
REPRESENTED BY ITS SECRETARY (DEPARTMENT OF REVENUE)  
MINISTRY OF FINANCE, GOVERNMENT OF INDIA, NEW DELHI,  
PIN - 110001



WP(C)No.38316/2025 & Con.Cases 5

- 2        GOODS & SERVICES TAX COUNCIL  
MINISTRY OF FINANCE, REPRESENTED BY ITS CHAIRMAN, 5TH  
FLOOR, TOWER II, JEEVAN BHARTI BUILDING, JANPATH ROAD,  
CONNAUGHT PLACE, NEW DELHI, PIN - 110001
- 3        UNION BANK OF INDIA  
REPRESENTED BY ITS MD & CEO, UNION BANK BHAVAN, 239,  
VIDHAN BHAVAN MARG, NARIMAN POINT, MUMBAI, PIN -  
400021
- 4        CHIEF GENERAL MANAGER (EMPLOYEE BENEFITS DIVISION)  
HR DEPARTMENT, UNION BANK OF INDIA, UNION BANK BHAVAN,  
239, VIDHAN BHAVAN MARG, NARIMAN POINT, MUMBAI, PIN -  
400021
- 5        INDIAN BANKS' ASSOCIATION  
WORLD TRADE CENTRE COMPLEX, 6TH FLOOR CENTRE 1  
BUILDING CUFF PARADE, MUMBAI, REPRESENTED BY ITS  
SENIOR ADVISOR, PIN - 400005
- 6        ADDL.R6: NATIONAL INSURANCE COMPANY LTD.,  
NATIONAL INSURANCE BUILDING, 2ND FLOOR, 14, JAMSHEDJI  
TATA ROAD, CHURCHGATE, MUMBAI, INDIA, PIN - 400020  
REPRESENTED BY ITS MD & CEO, ADDL.R6 IS IMPEADED AS  
PER ORDER DATED 21.10.2025 IN I.A.1/2025 IN  
WP(C) 36636/2025.

BY ADVS.

SHRI.RENJISH S. MENON, CGC

SHRI.P.R.SREEJITH

SRI.GEORGE A.CHERIAN

SRI.GEORGE CHERIAN (SR.) FOR R6.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
10.12.2025 ALONG WITH WP(C)NOS.38316/2025 AND CONNECTED CASES,  
THE COURT ON 8.1.2026 DELIVERED THE FOLLOWING:



WP(C)No.38316/2025 & Con.Cases 6

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

THURSDAY, THE 8<sup>TH</sup> DAY OF JANUARY 2026 / 18TH POUSHA, 1947

WP(C) NO. 37812 OF 2025

PETITIONER/S:

- 1 N.D. NANDAKUMAR  
AGED 75 YEARS  
S/O. DAMODARA MENON, IYYATTIL HOUSE, COLLECTORS  
BUNGLOW ROAD, ERNAKULAM, KOCHI, PIN - 682011
- 2 V. UNNIKRISHNAN  
AGED 79 YEARS  
S/O. AMMUKUTTIAMMA, VATHIYIL HOUSE, C4, BHAVANI  
RESIDENCY, POOTHOLE, THRISSUR, PIN - 680004
- 3 ANTONY MATHEW  
AGED 72 YEARS  
S/O. T. A. MATHEW, THERUVILPARAMBIL HOUSE, 15, LINK  
AVENUE, SASTHA TEMPLE ROAD, KALOOR, ERNAKULAM, PIN -  
682017
- 4 BONIFACE GEORGE  
AGED 72 YEARS  
S/O. P.T. GEORGE, PUTHIYAPARAMBIL, PADAM ROAD,  
VADUTHALA, KOCHI, PIN - 682023
- 5 VARGHESE V. A  
AGED 69 YEARS  
VELUKARAN HOUSE, ST. VINCENT ROAD, ERNAKULAM, KOCHI,  
PIN - 682018
- 6 CATHOLIC SYRIAN BANK RETIREES' ASSOCIATION  
NO. 25/981/1B, TOP CORAL, KUNNATH MANA LANE, THRISSUR,  
REPRESENTED BY ITS GENERAL SECRETARY, V UNNIKRISHNAN,  
PIN - 680001

BY ADVS.  
SMT.JOSNA.C.F  
SMT.RINTU PAUL



RESPONDENT/S:

- 1 UNION OF INDIA  
REPRESENTED BY ITS SECRETARY (DEPARTMENT OF REVENUE)  
MINISTRY OF FINANCE, GOVERNMENT OF INDIA , NEW DELHI,  
PIN - 110001
- 2 GOODS & SERVICES TAX COUNCIL  
MINISTRY OF FINANCE, REPRESENTED BY ITS CHAIRMAN, 5TH  
FLOOR, TOWER II, JEEVAN BHARTI BUILDING, JANPATH ROAD,  
CONNAUGHT PLACE, NEW DELHI, PIN - 110001
- 3 CSB BANK LTD  
2ND FLOOR, SIROYA CENTRE, SAHAR- AIRPORT ROAD, ANDHERI  
(E), MUMBAI REPRESENTED BY ITS MD & CEO, PIN - 400059
- 4 CHIEF GENERAL MANAGER  
HR COMPENSATION & BENEFITS DEPARTMENT, CSB BANK LTD.  
HR DEPARTMENT 2ND FLOOR, SIROYA CENTRE, SAHAR- AIRPORT  
ROAD, ANDHERI (E), MUMBAI, PIN - 400059
- 5 INDIAN BANKS' ASSOCIATION  
WORLD TRADE CENTRE COMPLEX, 6TH FLOOR CENTRE 1  
BUILDING CUFF PARADE, MUMBAI, REPRESENTED BY ITS  
SENIOR ADVISOR, PIN - 400005
- 6 NATIONAL INSURANCE COMPANY LTD  
REPRESENTED BY ITS MD & CEO, NATIONAL INSURANCE TOWER,  
STERLING CINEMA BLDG, 4, 65, MURZBAN ROAD, FORT  
MUMBAI, MAHARASHTRA, PIN - 400001

BY ADVS.

SMT.M.SANTHY

SHRI.V.GIRISHKUMAR, SC, CENTRAL BOARD OF INDIRECT  
TAXES AND CUSTOMS

SMT.LATHA ANAND

SRI.GEORGE A.CHERIAN

SMT.ANNA ROSE NAMBADAN

SRI.S.VISHNU (ARIKKATTIL)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
10.12.2025, ALONG WITH WP(C)NOS.38316/2025 AND CONNECTED CASES,  
THE COURT ON 8.1.2026 DELIVERED THE FOLLOWING:



WP(C)No.38316/2025 & Con.Cases 8

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

THURSDAY, THE 8<sup>TH</sup> DAY OF JANUARY 2026 / 18TH POUSHA, 1947

WP(C) NO. 38178 OF 2025

PETITIONER/S:

- 1 JOSE P.L.,  
AGED 73 YEARS  
S/O. LATE LUKOSE P.K., FLAT NO. 7A, AMBER PARK CANON  
SHED ROAD, ERNAKULAM, PIN - 682011
- 2 K.R ANANTHAPADMANABHAN  
AGED 80 YEARS  
S/O K.V RAMASWAMI 907, 9TH STREET, SAUKARNAGAR,  
KAIMONOM POST, THIRUVANATHAPURAM, PIN - 695040
- 3 MATHEW ABRAHAM P.,  
AGED 66 YEARS  
S/O P.M ABRAHAM PURACKAL HOUSE, NJRA/166, MYTHRI LANE,  
KARAMA ROAD, ELAMAKKARA, KOCHI, PIN - 682024
- 4 ABRAHAM SHAJI JOHN,  
AGED 65 YEARS  
S/O YOHANNAN C.A., TC 11/325(1), KUNNAPUZHA, CHRIST  
NAGAR COLONY, KESTON ROAD, KOWDIAR P.O  
THIRUVANATHAPURAM, PIN - 695003
- 5 ANTONY P.R.,  
AGED 64 YEARS  
S/O OUSEPH RAPHEL, PALLIPRAMBILE HOUSE NO. 38,  
GIRINAGAR SOUTH, KADAVANTRA, KOCHI, PIN - 682020
- 6 ASSOCIATION OF RETIRED IOB'S EMPLOYEES  
REGD OFFICE AT NO.6/4, III LANE 1ST FLOOR, M.K AMMAN  
KOIL STREET MYLAPORE, CHENNAI REPRESENTED BY ITS  
PRESIDENT, MR. K.S RENGARAJAN AGED 80 YEARS, S/O LATE  
K.N SREENIVASAN NO.6/4, 3RD LANE, M.K AMMAN KOIL  
STREET MYLAPORE, CHENNAI, PIN - 600004

BY ADVS.  
SRI.V.K.PRASAD





WP(C)No.38316/2025 & Con.Cases 9

SMT.JOSNA.C.F

RESPONDENT/S:

- 1 UNION OF INDIA,  
REPRESENTED BY ITS SECRETARY (DEPARTMENT OF REVENUE)  
MINISTRY OF FINANCE, GOVERNMENT OF INDIA, NEW DELHI,  
PIN - 110001
- 2 GOODS & SERVICES TAX COUNCIL  
MINISTRY OF FINANCE, REPRESENTED BY ITS CHAIRMAN,  
HAVING ITS OFFICE AT NORTH,BLOCK NEW DELHI, PIN -  
110001
- 3 INDIAN OVERSEAS BANK,  
REPRESENTED BY ITS MD & CEO 763, ANNA SALAI, MOUNT  
ROAD, CHENNAI, PIN - 600002
- 4 GENERAL MANAGER,  
HR DEPARTMENT, WELFARE SECTION, INDIAN OVERSEAS BANK,  
763, ANNA SALAI, MOUNT ROAD, CHENNAI, PIN - 600002
- 5 INDIAN BANKS' ASSOCIATION,  
REPRESENTED BY ITS SENIOR ADVISOR WORLD TRADE CENTRE,  
6TH FLOOR CENTRE 1 BUILDING, CUFFE PARADE, MUMBAI,  
MAHARASHTRA, PIN - 400005
- 6 NATIONAL INSURANCE COMPANY LTD.,  
NATIONAL INSURANCE BUILDING, 2ND FLOOR, 14, JAMSHEDJI  
TATA ROAD, CHURCHGATE, MUMBAI REPRESENTED BY ITS MD &  
CEO, PIN - 400020

BY ADVS.

SHRI.P.R.SREEJITH

SHRI.SUNIL SHANKER

SRI.GEORGE A.CHERIAN

SRI.GEORGE CHERIAN (SR.)FOR R6

SMT.VIDYA GANGADHARAN

SHRI.THOMAS GLAISON

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
10.12.2025, ALONG WITH WP(C)NOS.38316/2025 AND CONNECTED CASES,  
THE COURT ON 8.1.2026 DELIVERED THE FOLLOWING:



WP(C)No.38316/2025 & Con.Cases 10

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

THURSDAY, THE 8<sup>TH</sup> DAY OF JANUARY 2026 / 18TH POUSHA, 1947

WP(C) NO. 38436 OF 2025

PETITIONER/S:

- 1 BHASI K.S,  
AGED 71 YEARS  
S/O SREEDHARAN K.G, KALAPURAKAL HOUSE, PANCHAYATH RAJ  
ROAD, RAMAN KUTTY BHAGAVATHAR LANE, PALLURUTHY, KOCHI,  
PIN - 682006
- 2 JOSE ITTIRA PARECATIL,  
AGED 71 YEARS  
S/O P.D ITTIRA, PARECATIL HOUSE, CNRA 78, ROSEVILLA,  
KIDANGOOR PO, ANGAMALY, PIN - 683572
- 3 JOSEPH C.A,  
AGED 70 YEARS  
S/O CV ABRAHAM, 20/13 CHACKUNKAL HOUSE, RAMAKRISHNA  
NAGAR, CANAL ROAD, THUTHIYOOR, ERNAKULAM, PIN - 682037
- 4 THOMAS M.J,  
AGED 71 YEARS  
S/O M.V JOSEPH, MADAN HOUSE, PUTHUMANA, MANJAPARA PO ,  
ERNAKAULAM, PIN - 683581
- 5 ALL INDIA PUNJAB NATIONAL BANK, PENSIONERS'  
ASSOCIATION  
REG.NO. NGP-5873, REG OFFICE AT -21 LAHARIKRUPA  
HOUSING SOCIETY, KHAMLA, NAGPUR, REPRESENTED BY ITS  
DEPUTY GENERAL SECRETARY, MR. JOSE ITTIRA PARECATIL,  
AGED 71 YEARS, S/O P.D ITTIRA, PIN - 440025

BY ADVS.  
SRI.V.K.PRASAD  
SMT.JOSNA.C.F

RESPONDENT/S:



- 1 UNION OF INDIA,  
REPRESENTED BY ITS SECRETARY, (DEPARTMENT OF  
REVENUE), MINISTRY OF FINANCE, GOVERNMENT OF INDIA, NEW  
DELHI, PIN - 110001
- 2 GOODS & SERVICES TAX COUNCIL,  
MINISTRY OF FINANCE, REPRESENTED BY ITS CHAIRMAN,  
HAVING ITS OFFICE AT NORTH BLOCK, NEW DELHI, PIN -  
110001
- 3 PUNJAB NATIONAL BANK,  
REPRESENTED BY ITS MD & CEO, OFFICE AT, PLOT NO. 4,  
SECTOR 10, DWARKA, NEW DELHI, PIN - 110075
- 4 GENERAL MANAGER,  
HR DIVISION HEAD OFFICE, PLOT NO.4 , SECTOR 10,  
DWARKA, NEW DELHI, PIN - 110075
- 5 INDIAN BANKS' ASSOCIATION,  
REPRESENTED BY ITS SENIOR ADVISOR, WORLD TRADE CENTRE,  
6TH FLOOR CENTRE 1 BUILDING, CUFFE PARADE, MUMBAI,  
MAHARASHTRA, PIN - 400005
- 6 NATIONAL INSURANCE COMPANY LTD,  
NATIONAL INSURANCE BUILDING, 2ND FLOOR, 14, JAMSHEDJI  
TATA ROAD, CHURCHGATE, MUMBAI, REPRESENTED BY ITS MD &  
CEO, PIN - 400020

BY ADVS.

SMT.GIRIJA L. , CGC

SRI.C.AJITH KUMAR

SRI.GEORGE A.CHERIAN

SMT.VARSHA S.S.

SMT.ROSANNA C. WILSON

SRI.GEORGE CHERIAN (SR.)

SRI.P.T.DINESH, SENIOR STANDING COUNSEL FOR CGST

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
10.12.2025, ALONG WITH WP(C)NOS.38316/2025 AND CONNECTED CASES,  
THE COURT ON 8.1.2026 DELIVERED THE FOLLOWING:



WP(C)No.38316/2025 & Con.Cases 12

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

THURSDAY, THE 8<sup>TH</sup> DAY OF JANUARY 2026 / 18TH POUSHA, 1947

WP(C) NO. 38552 OF 2025

PETITIONER/S:

- 1 PRASANNAKUMARAN V.C,  
AGED 65 YEARS  
S/O. LATE K.A. CHANDRAN MENON, KOUSTHUBHAM GG69, GREEN  
GARDENS, VADUTHALA, KOCHI, PIN - 682023
- 2 K.K. RADHAKRISHNAN NAIR,  
AGED 72 YEARS  
S/O. LATE K.P. KUMARAPILLAI, SREERANGAM, VAIKOM EAST,  
MURIANKULANGARA, VAIKOM, PIN - 686141
- 3 HARIKUMAR P.R.  
AGED 72 YEARS  
S/O RAGHAVAN NAIR, &#8216;KRISHNANJELI', PUTHENPURAYIL,  
KARAKKAD P.O., CHENGANNUR, PIN - 689504
- 4 M.R. JACOB,  
AGED 77 YEARS  
S/O. M.T. RAPPAL, MOYALAN HOUSE, YOUNG SHINE STREET,  
CHELAKKOTTUKARA, THRISSUR, PIN - 680005
- 5 M. KRISHNAKUMAR  
AGED 68 YEARS  
S/O. K. A. MONIANKUTTY, &#8216;RAJEEVAM', KRPS- 60,  
JOYLAND, KATTITHARA ROAD, MARADU P.O., KOCHI, PIN -  
682304
- 6 RAVINDRAN C,  
AGED 73 YEARS  
S/O. NARAYANA KAIMAL, &#8216;PADMALAYAM', JRRA - 1,  
JAWAHAR ROAD, ANJAT, POONITHURA P.O., KOCHI, PIN -  
682038
- 7 KURUMOORMANA NARAYANAN BHATTATHIRPAD CHITHARANJAN,  
AGED 69 YEARS  
S/O. NARAYANAN BHATTATHIRPAD, KURUMOORMANA, PONOTH  
ROAD, KALOOR P.O., KOCHI, PIN - 682017



- 8 ALL INDIA BANK PENSIONERS AND RETIREES CONFEDERATION  
(REG. NO. DISTRICT EAST/SOCIETY/3013/2018) MAYUR  
VIHAR, PHASE - 1, 57A - POCKET 3, NEW DELHI,  
REPRESENTED BY ITS DEPUTY GENERAL SECRETARY SREEKUMAR  
B., AGED 74 YEARS, S/O. BHASKARAN NAIR, PIN - 110091

BY ADVS.  
SRI.V.K.PRASAD  
SMT.JOSNA.C.F

RESPONDENT/S:

- 1 NATIONAL INSURANCE COMPANY LTD,  
NATIONAL INSURANCE BUILDING, 2ND FLOOR, 14, JAMSHEDJI  
TATA ROAD, CHURCHGATE, MUMBAI, REPRESENTED BY ITS MD &  
CEO, PIN - 400020
- 2 INDIAN BANKS' ASSOCIATION,  
WORLD TRADE CENTRE, 6TH FLOOR CENTRE 1 BUILDING, CUFFE  
PARADE, MUMBAI, MAHARASHTRA, REPRESENTED BY ITS SENIOR  
ADVISOR, PIN - 400005
- 3 BANK OF BARODA,  
7TH FLOOR, R.C. DUTT ROAD, VADODARA, REPRESENT BY ITS  
MD & CEO, PIN - 390007
- 4 BANK OF INDIA,  
STAR HOUSE, C - 5, 'G' BLOCK, BANDRA KURLA COMPLEX,  
BANDRA (EAST), MUMBAI, REPRESENTED BY ITS MD & CEO,  
PIN - 400051
- 5 CANARA BANK  
NO. 112, JC ROAD, BENGALURU, KARNATAKA. REPRESENTED BY  
ITS MD & CEO, PIN - 560002
- 6 CENTRAL BANK OF INDIA  
CHANDERMUKHI BUIDLING, NARIMAN POINT, MUMBAI,  
REPRESENTED BY ITS MD & CEO, PIN - 400021
- 7 INDIAN BANK  
P.B. NO. 5555, 254-260, AVVAI SHANMUGAM SALAI,  
ROYAPETTAH, CHENNAI, TAMIL NADU, REPRESENTED BY ITS MD  
& CEO, PIN - 600014
- 8 INDIAN OVERSEAS BANK



WP(C)No.38316/2025 & Con.Cases 14

762/763, IOB, ANNA SALAI, CHENNAI, TAMIL NADU,  
REPRESENTED BY ITS MD & CEO, PIN - 600002

- 9 UNION BANK OF INDIA  
UNION BANK BHAVAN, 239, VIDHAN BHAVAN MARG, NARIMAN  
POINT, MUMBAI, MAHARASHTRA REPRESENTED BY ITS MD &  
CEO, PIN - 400021
- 0 UCO BANK  
10, B T M SARANI, KOLKATA, REPRESENTED BY ITS MD &  
CEO, PIN - 700001
- 11 PUNJAB NATIONAL BANK  
PLOT NO. 4, SECTOR 10, DWARKA, NEW DELHI, REPRESENTED  
BY ITS MD & CEO, PIN - 110075
- 12 THE DHANALAXMI BANK LTD  
DHANALAKSHMI BUILDINGS. P.B NO.9 , NAICKANAL,  
THRISSUR. KERALA, REPRESENTED BY ITS MD & CEO, PIN -  
680001
- 13 THE KARUR VYSYA BANK LTD.  
REGISTERED & CENTRAL OFFICE, NO. 20, ERODE ROAD,  
VADIVEL NAGAR, L.N.S., KARUR REPRESENTED BY ITS MD &  
CEO, PIN - 639002
- 14 UNION OF INDIA ( SOUGHT TO BE IMPEADED )  
(DEPARTMENT OF REVENUE) MINISTRY OF FINANCE GOVERNMENT  
OF INDIA, NEW DELHI REPRESENTED BY ITS SECRETARY  
(SOUGHT TO BE IMPEADED )
- 15 GST COUNCIL ( SOUGHT TO BE IMPEADED )  
MINISTRY OF FINANCE, 5TH FLOOR, TOWER II, JEEVAN  
BHARTI BUILDING, JANPATH ROAD, CONNAUGHT PLACE, NEW  
DELHI, REPRESENTED BY ITS CHAIRMAN ( SOUGHT TO BE  
IMPEADED )

BY ADVS.  
SRI.GEORGE A.CHERIAN  
SRI.P.FAZIL  
DR.PAULY MATHEW MURICKEN  
SHRI.SUNIL SHANKER  
SHRI.H.RAMANAN  
SRI.C.AJITH KUMAR  
SMT.VARSHA S.S.  
SRI.JITHIN PAUL VARGHESE  
SRI.SAJU THALIATH  
SMT.C.PRABITHA



WP(C)No.38316/2025 & Con.Cases 15

SHRI.FADIL FAZIL  
SMT.ASWATHY JAYACHANDRAN  
SMT.AKSHAYA THOMAS  
SHRI.ASVINO SHEEJ.S  
SMT.VIDYA GANGADHARAN  
SHRI.THOMAS GLAISON  
SRI.GEORGE CHERIAN (SR.)  
SHRI.ALAN PHILIP ALEX

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
10.12.2025 ALONG WITH WP(C)NOS.38316/2025 AND CONNECTED CASES,  
THE COURT ON 8.1.2026 DELIVERED THE FOLLOWING:



WP(C)No.38316/2025 & Con.Cases 16

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

THURSDAY, THE 8<sup>TH</sup> DAY OF JANUARY 2026 / 18TH POUSHA, 1947

WP(C) NO. 38670 OF 2025

PETITIONER/S:

- 1 S AJITH KUMAR,  
AGED 72 YEARS  
S/O N SUKUMARAN,SURABHI HOUSE NO. 40 KUMARANASAN  
NAGAR, KADAVANTHRA, KOCHI, PIN - 682020
- 2 K.N SASI,  
AGED 66 YEARS  
S/O DR. K NARAYANA PANICKER,H.NO. 18/120B PRA 10,  
THENGASSERIL HOUSE, PALLIPPARAMBUKAVU, THRIIPPUNITHURA,  
PIN - 682301
- 3 T. M SATHISH,  
AGED 62 YEARS  
S/O N. MANIKKA VADHYAR, PRA 180, 'SAUDAMINI', PADAM  
ROAD, ELAMAKKARA, KOCHI, PIN - 682026
- 4 VIJAYAN NAIR P.N,  
AGED 75 YEARS  
S/O NARAYANAN NAIR, SREE REMYA, CHERUVIKAL,  
SREEKARIYAM P.O, TRIVANDRUM, PIN - 695017
- 5 SURENDRAN P.O,  
AGED 74 YEARS  
S/O P.U SEKUARAN, 62 RAJIU NAGAR, ELAMAKARA, KOCHI,  
PIN - 682026
- 6 CANARA BANK SYNDICATE PENSIONERS & RETIREES  
ASSOCIATION (REGD.),  
CENTRAL OFFICE AT 203, GLENDALE RESIDENCY, KING KOTI  
ROAD, ABIDS, HYDERABAD (REG. NO. 1955/2012)  
REPRESENTED BY ITS DY. GENERAL SECRETARY, MR. P.N  
VIJAYAN NAIR, AGED 75 YEARS, S/O NARAYANAN NAIR, PIN -  
500001

BY ADVS.





WP(C)No.38316/2025 & Con.Cases 17

SRI.V.K.PRASAD  
SMT.JOSNA.C.F

RESPONDENT/S:

- 1 UNION OF INDIA,  
REPRESENTED BY ITS SECRETARY, (DEPARTMENT OF  
REVENUE), MINISTRY OF FINANCE, GOVERNMENT OF INDIA. NEW  
DELHI, PIN - 110001
- 2 GOODS & SERVICES TAX COUNCIL,  
MINISTRY OF FINANCE, REPRESENTED BY ITS CHAIRMAN,  
HAVING ITS OFFICE AT NORTH, BLOCK NEW DELHI, PIN -  
110001
- 3 CANARA BANK,  
NO. 112, JC ROAD, BENGALURU, KARNATAKA, REPRESENTED BY  
ITS MANAGING DIRECTOR & CHIEF EXECUTIVE OFFICER, PIN -  
560002
- 4 CHIEF GENERAL MANAGER,  
HUMAN RESOURCES & PUBLIC RELATIONS WING, INDUSTRIAL  
RELATIONS VERTICAL, INDUSTRIAL RELATIONS & POLICIES  
SECTION, HEAD OFFICE, NO. 112, JC ROAD, BENGALURU  
KARNATAKA, PIN - 560002
- 5 INDIAN BANKS' ASSOCIATION,  
REPRESENTED BY ITS SENIOR ADVISOR, WORLD TRADE CENTRE,  
6TH FLOOR CENTRE 1 BUILDING, CUFFE PARADE, MUMBAI,  
MAHARASHTRA, PIN - 400005
- 6 NATIONAL INSURANCE COMPANY LTD,  
NATIONAL INSURANCE BUILDING, 2ND FLOOR, 14, JAMSHEDJI  
TATA ROAD, CHURCHGATE, MUMBAI, REPRESENTED BY ITS  
MANAGING DIRECTOR & CHIEF EXECUTIVE OFFICER, PIN -  
400020

BY ADVS.

SMT.SANJANA R.NAIR, CGC  
SHRI.V.GIRISHKUMAR, SC, CENTRAL BOARD OF INDIRECT  
TAXES AND CUSTOMS  
DR.PAULY MATHEW MURICKEN  
SRI.GEORGE A.CHERIAN  
SHRI.ASVINO SHEEJ.S  
SMT.ROSANNA C. WILSON  
SRI.GEORGE CHERIAN (SR.) FOR R6



WP(C)No.38316/2025 & Con.Cases 18

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10.12.2025, ALONG WITH WP(C)NOS.38316/2025 AND CONNECTED CASES, THE COURT ON 8.1.2026 DELIVERED THE FOLLOWING:



WP(C)No.38316/2025 & Con.Cases 19

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE ZIYAD RAHMAN A.A.

THURSDAY, THE 8<sup>TH</sup> DAY OF JANUARY 2026 / 18TH POUSHA, 1947

WP(C) NO. 38757 OF 2025

PETITIONER/S:

- 1 ALL INDIA BANK RETIREES' FEDERATION (REGD.)  
HAVING ITS REGISTERED OFFICE AT FLAT NO 101, BLOCK C  
SHIVOM RESIDENCY, M. G. ROAD INDORE REPRESENTED BY ITS  
ORGANISING SECRETARY SRI P R RAMASUBRAMANIA IYER, AGED  
80 YEARS, S/O LATE M S RAMASUBRAMANIA IYER, INDU (H)  
4TH STREET, HARI NAGAR, PUNKUNNAM, THRISSUR-, PIN -  
680002
- 2 K R PARASURAMAN  
AGED 70 YEARS  
S/O LATE K V RAMAN, RESIDING AT TMC 54/808, KALPATHI  
HOUSE, OPPO:TO MSME, AYYANTHOLE POST, THRISSUR, PIN -  
680003
- 3 A SETHUNATHAN,  
AGED 65 YEARS  
S/O P GOVINDA MENON RESIDING AT AMBADY, NORTH GATE,  
THRIPUNITHURA, ERNAKULAM, PIN - 682301

BY ADVS.  
SRI.V.M.KRISHNAKUMAR  
DR.SILPA AZIZ  
SRI.RENJITH THAMPAN (SR.)

RESPONDENT/S:

- 1 UNION OF INDIA  
REPRESENTED BY ITS SECRETARY (DEPARTMENT OF REVENUE)  
MINISTRY OF FINANCE, GOVERNMENT OF INDIA, NEW DELHI,  
PIN - 110001
- 2 CANARA BANK  
REPRESENTED BY ITS MANAGING DIRECTOR AND CHIEF



WP(C)No.38316/2025 & Con.Cases 20

EXECUTIVE OFFICER, HEAD OFFICE, NO.112, JC ROAD,  
BENGALURU, PIN - 560002

- 3 CENTRAL BANK OF INDIA  
REPRESENTED BY ITS MANAGING DIRECTOR AND CHIEF  
EXECUTIVE OFFICER, CORPORATE OFFICE, CHANDERMUKHI,  
NARIMAN POINT, MUMBAI, PIN - 400021
- 4 GOODS & SERVICES TAX COUNCIL MINISTRY OF FINANCE  
REPRESENTED BY ITS CHAIRMAN, 5TH FLOOR, TOWER II,  
JEEVAN BHARTI BUILDING, JANPATH ROAD, CONNAUGHT PLACE,  
NEW DELHI,, PIN - 110001
- 5 CHIEF GENERAL MANAGER  
CANARA BANK, HUMAN RESOURCES & PUBLIC RELATIONS WING,  
HEAD OFFICE, BENGALURU, PIN - 560002
- 6 CHIEF GENERAL MANAGER(HR)  
CENTRAL BANK OF INDIA, HUMAN CAPITAL MANAGEMENT-  
INDUSTRIAL RELATIONS & POLICY DEPARTMENT, CENTRAL  
OFFICE, CHANDER MUKHI, NARIMAN POINT, MUMBAI, PIN -  
400021
- 7 INDIAN BANKS ASSOCIATION  
WORLD TRADE CENTRE COMPLEX, 6TH FLOOR CENTRE 1  
BUILDING CUFF PARADE, MUMBAI, REPRESENTED BY ITS CHIEF  
EXECUTIVE., PIN - 400005
- 8 NATIONAL INSURANCE COMPANY  
HEAD OFFICE, PREMISES NO 18-0374, PLOT NO.CBD-81, NEW  
TOWN, KOLKATA REPRESENTED BY ITS CHAIRMAN AND MANAGING  
DIRECTOR, PIN - 700156

BY ADVS.

SHRI.SATHEESH T.P., CGC

DR.PAULY MATHEW MURICKEN

SHRI.P.R.SREEJITH

SMT.ARATHI PRABHAKARAN

SRI.GEORGE CHERIAN (SR.)FOR R6

SHRI.ASVINO SHEEJ.S

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
10.12.2025 ALONG WITH WP(C)NOS.38316/2025 AND CONNECTED CASES,  
THE COURT ON 8.1.2026 DELIVERED THE FOLLOWING:



**JUDGMENT**

[WP(C) Nos.38316/2025, 36636/2025, 37812/2025, 38178/2025,  
38436/2025, 38552/2025, 38670/2025, 38757/2025]

...

In all these cases, the petitioners are retired employees of various banks and the members of group health insurance policies issued by the National Insurance Company Limited. The common issue involved in these writ petitions is regarding the question as to whether the petitioners are entitled to the exemption from payment of GST for the premium paid by them towards group insurance policy in the light of the notification published by the Government as per G.S.R.666(E) dated 17.9.2025 based on the recommendations of the GST Council, by which, certain exemptions were contemplated for health insurance policies, from payment of GST. In all these cases, the insurer insisted for payment of GST and the respective banks as well as the Indian Bank Association also required the petitioners to make the payment of premium along with GST. It was in these circumstances, these writ petitions were filed. In W.P.(C)No.38436/2025, the reliefs sought are as follows:

- "i) Issue a writ of mandamus or any other appropriate writ, order or direction declaring that the levy of GST at 18% on the premium collected towards renewal of health insurance policies of the retired employees/family pensioners of Punjab National Bank, including the Petitioners, with effect from 01.11.2025 is illegal, arbitrary, and ultra vires Exhibit P1 decision of the GST Council and Exhibit P2 Notification issued by the 1st Respondent.
- ii) Declare that the health insurance policy offered to retired



employees/family pensioners of Punjab National Bank is covered by the exemption granted under Exhibit P2 Notification, and that no GST is leviable on such policies.

iii) Issue a writ of mandamus or any other appropriate writ, order, or direction commanding the Respondents 1 to 6 to ensure that the renewal premium for the health insurance policy of retirees/family pensioners of Punjab National Bank for the policy year 2025-26 is collected and remitted without levy of GST.

iv. Issue a writ of mandamus or any other appropriate writ, order or direction directing the Respondents to forthwith refund or adjust the GST component already collected from the Petitioners and other similarly placed retirees towards the premium for the policy year 2025- 26.

v. Issue a writ of certiorari or any other appropriate writ, order or direction quashing Exhibit P4 Circular dated 18.09.2025 issued by the 4th Respondent, to the extent it provides for levy of GST @18% over and above the premium.

vi. To issue any other writ, direction or order which this Hon'ble Court may deem fit and necessary in the interests of justice."

Similar reliefs were sought in the other writ petitions as well.

2. Counter affidavits were submitted by the Union of India in all the cases. The National Insurance Company Limited also submitted a separate counter affidavit. In those counter affidavits, the contentions and claims raised by the petitioners were stoutly opposed by placing reliance upon various statutory provisions and the regulations/circulars issued by the IRDAI (Insurance Regulatory and Development Authority of India).

3. I have heard Sri.Renjith Thampan, the learned Senior Counsel, Sri. R.Lekshmi Narayanan, the learned Senior Counsel and Sri.V.K.Prasad, the learned counsel appearing for the petitioners, Sri. George A. Cheriyan (Thiruvalla), learned Senior counsel appearing for the Insurance Company, Sri. P.T. Dinesh, Sri. P.R. Sreejith and Sri.V.Gireesh Kumar, the learned Senior Standing



Counsel for the CGST.

4. The main objections raised by the respondents against the claim made by the petitioners seeking exemption is that, going by the recommendations of the GST Council in its 56<sup>th</sup> meeting, based on which the exemption was granted, as regards the health insurance policies, the exemption of GST was contemplated only in respect of individual health insurance policies, including family floater policies and policies for senior citizens, and the same was never intended to be extended to the group insurance policies. The respondents highlighted this aspect, by specifically bringing the attention of this Court to the relevant clauses in the notification, which is produced as Ext.P2 in WP(C)No.38463/2025.

5. The specific contention raised by the learned Senior Counsel appearing for the petitioners is that, even though the reading of Ext.P2 notification would convey a primary impression that it is not applicable to the group insurance policies, considering the definition of 'group' as contained therein, a different conclusion is possible. According to the petitioners, going by the said definition, the group referred to, in the said clause, is in respect of persons, who joined together with a commonality of purpose or for engaging in a common economic activity, other than availing insurance. According to the petitioners, they have joined together, only for the purpose of



availing the insurance and apart from that, there was no commonality of purpose or they have not engaged in common economic activity. Therefore, the specific case of the petitioners is that, the petitioners, even though availed the policy as a group, would not fall under the 'group' as referred to in Ext.P2 notification and hence, the exclusions in Ext.P2 cannot be made applicable to the petitioners. Thus, the petitioners are entitled to the benefits of exemption as per Ext.P2 notification, since they are not falling under the exemptions of the said notification.

6. The reliance was placed on the decisions rendered by the Hon'ble Supreme Court in **Achal Industries(M/s.) v. State of Karnataka [(2019) 7 SCC 703]**, **Income Tax Officer, Tuticorin v. T.S.Devinatha Nadar and Others [AIR 1968 SC 623]**, **Commissioner of Customs (Preventive), Mumbai v. M. Ambalal and Co. [(2011)2 SCC 74]**, **C.E.S.C.Limited and Others v. Subhas Chandra Bose and Others [(1992)1 SCC 441]** and the decision rendered by the Division Bench of Gujarat High Court in **M/s. Educational Initiatives Pvt. Ltd v. Union of India in R/Special civil application No.16476/2021**.

7. On the other hand, the learned Standing Counsel as well as the learned Senior Counsel appearing for the insurance companies stoutly oppose the reliefs sought by the petitioners, by





pointing out that, the respondents are not falling under the exemptions provided as per Ext.P2. The learned Standing Counsel also brought to the attention of this Court, the Insurance Regulatory And Development Authority of India (Health Insurance) Regulations, 2016, wherein, it is contemplated that no group health insurance policy shall be issued by any insurer, wherein, group is formed with the main purpose of availing itself of insurance. There shall be a clearly evident relationship as specified by the Authority from time to time between the members of the group and the group policy holder. Thus, it was contended that these writ petitions are to be dismissed.

8. I have carefully gone through the records and examined the contentions raised by both sides. Before moving into the consideration of issues arising in these case, it is necessary to examine the relevant clauses in the notifications issued by the Government as well as the other authorities. As mentioned above, G.S.R.666(E) dated 17.9.2025 is the notification issued by the Central Government based on the recommendations of the GST Council. Clause 36D of the same reads as follows:

“36D Heading 9971 Service of health insurance Nil Nil  
business provided by an  
insurer to the insured, where  
the insured is not a group

[Please refer to clause (zfb)  
in para2]

Explanation: For the removal  
of doubts, it is hereby



clarified that:

a. This exemption shall apply to a contract of insurance where the insured is an individual, or an individual and family of the said individual.

b. For the purposes of (a) above, family shall include all individuals insured as family in the contract of insurance.”

The said clause deals with the exemptions relating to the services of the health insurance provided by an insurer to the insured where the insured is not a group. The aforesaid notification was issued in exercise of the powers conferred by sub-sections(3) and (4) of section 9, sub-section (1) of section 11, sub section (5) of section 15 and section 148 of the Central Goods and Services Tax Act, 2017 (12 of 2017). As per the said notification, certain amendments were brought in the notification number 12/2017 dated 28.06.2017. As per clause(b)(ii) of the notification dated 17.09.2025, after clause (zfa) of the original notification sought to be amended, clause (zfb) was inserted and the said clause reads as follows:

“(zfb) For the purposes of entries at serial numbers 36C and 36D in the table above, ‘group’ means group of persons who join together with a commonality of purpose or for engaging in a common economic activity, other than availing insurance, and includes:

a. Employer- employee groups, where an employer-employee relationship exists between the master/group policyholder and the members of the group in accordance with the applicable laws;

b. Non employer-employee groups, where a clearly evident relationship exists between the master/group policyholder and the members of the group, for services/activities other



than insurance.”

9. The specific contention of the petitioners is that, since the petitioners are retired employees of various banks, they have not joined together with a commonality of purpose other than availing insurance and hence they are not coming within the definition of “group” as defined above. However, one important aspect to be noted while considering the aforesaid contention is that, in Ext.P1, which is the recommendations of the 56<sup>th</sup> meeting of the GST Council, the exemption of GST is provided on all individual health insurance policies (including family floater policies and policies for senior citizens) and reinsurance thereof, to make insurance affordable for the common man and increase the insurance coverage in the country. It is to be noted that, the issuance of Ext.P2 is by acting upon the recommendations of the GST Council, which going by Ext.P1, is intended to be made applicable to the individual health insurance policies alone. The said fact is made clear in clause 36D as well, where, it is specifically mentioned that, the exemption is provided to the services of health insurance business provided by the insurer to the insured, where, the insured is not a group. Apart from the above, the said clause contained an “Explanation” which states that, “for the removal of doubts, it is hereby clarified that this exemption shall apply to a contract of insurance where the insured is



an individual, or an individual and family of the said individual". Thus the fact that, it is applicable to the individual policies alone, is reiterated in the explanation contemplated therein.

10. It is the specific case of the respondents that the policies which are the subject matter in these writ petitions, were issued as group medical insurance policies, based on the negotiation made by the Indian Banks' Association with the General Insurance Companies. Exhibit P3 issued by the Indian Banks' Association indicates the procedure followed by the said Association, while causing the policy to be issued by the insurer. It is discernible from Ext.P3 that, the Group Medical Insurance scheme in-lieu of Reimbursement of Hospitalisation scheme was introduced as per 10<sup>th</sup> Bipartite Settlement/7th Joint Note dated 25.05.2015. The said scheme was extended to retired employees and their spouses, with a condition that, the premium will be paid by them. The existing policy (2024-25) is covering 5,75,166 serving employees and 1,51,668 retired employees. It is also the case of the respondents that, as part of the negotiation, the Indian Banks' Association invited bids from the Insurance Companies and in the said process, M/s. National Insurance Company was selected. The rates for premium were also fixed through the said process. The case of the respondents is that, the policies issued in these cases are having all the characteristics of



a group insurance policy, in view of the fact that, the same covers a large number of persons who are retired employees of the banks, who by themselves form a class, and the benefits of the same were obtained by way of collective bargaining, thereby getting reduced rates. They are also getting rid of certain restrictions that are applicable to the individual policies that provides for medical check up, exclusion clause regarding pre-existing disease and the waiting period for certain coverages, etc. Yet another point highlighted by the respondents is that, as per Regulation 3(5) of Chapter 1 of IRDAI (Insurance Products) Regulations, 2024, "group" consists of persons who join together with a commonality of purpose or engaging in a common economic activity and includes the following:-

- "a. Employer- employee group is a group where an employer-employee relationship exists between the master policyholder and the member in accordance with the applicable laws.
- b. Non-Employer- employee group is a group other than employer- employee where a clearly evident relationship between the member and the group policyholder exists for services/activities other than insurance."

11. The crucial aspect to be noticed is that, admittedly, the policy is issued by a general insurance company, which can only issue a policy, as permitted by the IRDAI, the sole regulatory body in this field. As rightly pointed out by the learned Standing Counsel for the respondents, clause 7 of the IRDAI (Health Insurance) Regulations, 2016, specifically prohibits forming of a group with the main purpose of availing itself of an insurance. Thus, the fact that, the policy was



issued to a large number of persons extending to more than 1.5 lakhs persons by a general insurance company bound by the regulation issued by the IRDAI, itself indicates that the said policy was issued in terms of the relevant regulations. As mentioned above, the regulation contains a clause prohibiting forming a group, exclusively for the purpose of availing insurance coverage and there must be some relationship between the members of the group and the group policyholder. Therefore, the issuance of policy by following the regulations of IRDAI itself would indicate that the said policy was issued to a group, where, there is an evident relationship between the members of the group and the policyholder.

12. Apart from the above, I find merits in the contentions raised by the respondents that the policies which are relevant in these cases are obtained by the Indian Banks' Association through collective bargaining. The benefits of the said collective bargaining are clearly explained in the counter affidavit of the 2<sup>nd</sup> respondent in WP(C)No.38436/2025. In paragraph 20 thereof reads as follows:

- "a. Cost Savings Passed to Members: Insurers save on distribution, underwriting, and policy administration costs in group policies. These savings are typically passed on to the insured members in the form of lower premiums.
- b. Lower Premiums: Premiums under group health insurance are generally lower than those for individual policies, owing to risk pooling across a larger group and the inherent homogeneity of group members.
- c. Minimal or No Medical Underwriting: Coverage is often extended without detailed medical checks, particularly in employer-employee groups.
- d. Coverage for Pre-existing Conditions: Many group policies cover



pre-existing diseases from day one or after a relatively short waiting period, unlike retail policies which may have longer exclusion periods.

e. Family Coverage: Many Groups allow members to extend coverage to spouses, children, and, in some cases, parents at competitive rates.

f. Voluntary Top-up Options: Several group plans offer optional top-up cover at preferential rates, allowing members to enhance their base coverage.

g. Streamlined Administration: Insurers often provide dedicated account managers, digital portals, or HR dashboards to facilitate smooth policy administration for the employer or group administrator.”

Evidently, in this case, the petitioners have availed advantages as highlighted above, which show a clear distinction between the individual policy and group insurance policy. It is also to be noted in this regard that, as observed above, Ext.P1 which is the recommendations of the GST Council, provides exemption only to individual health insurance policies and the said fact is further reinforced by the wordings used in clause 36D of notification dated 17.09.2025, where, it is specifically mentioned that the exemption is for individual policies and not for a group. It is further clarified in the Explanation in the said notification that, the said exemption shall apply to a contract of insurance where the insured is an individual or an individual and family of the said individual. All these aspects clearly indicate that the exemption was provided only to the individual policy holders and not the members of a group insurance policies.

13. Of course, the learned Senior Counsel appearing for the



petitioners pointed out that, the definition of 'group', as mentioned in Ext.P2, even though similar to the definition of 'group' as contained in the IRDAI regulation, there is a subtle difference between the two. It was pointed out that, in the definition of 'group' as contained in IRDAI regulation, the group consists of persons who joined together with a commonality of purpose or engaging in a common activity, whereas in Ext.P2 notification, the 'group' is a group of persons who joined together with a commonality of purpose or for engaging in a common activity **“other than availing insurance”**. Thus, according to the petitioners the specific inclusion of the words **“other than availing insurance”** is very important and by virtue of inclusion of the said clause in the definition of 'group' in Ext.P2, the groups, which are formed together only for the purpose of availing the benefit of insurance should be exempted. While considering the said contention, it is to be noted that, going by the Regulations of the IRDAI, there is no policy contemplated for a group which is formed for the sole purpose of availing the insurance and there must be a relationship between the members of the group and the policy holder. As mentioned above, the policy in this case was issued in terms of the IRDAI Regulations and therefore that by itself is a certification of the fact that it was a policy issued to a group, as defined under the provisions of the IRDAI Regulations and therefore,





the fact that, in the definition of 'group' included in Ext.P2 contains a clause that **“other than availing insurance”**, would not make a difference.

14. The documents produced before this Court and the sequence of events that led to the issuance of the policy also clearly establishes the relationship between the members of the policy and the policyholder. As mentioned above, Ext.P3 would indicate that the scheme of insurance policy itself was introduced as part of 10<sup>th</sup> Bipartite Settlement/7<sup>th</sup> Joint Note dated 25.5.2015 and later the benefits of the same were extended to the retired employees. A detailed procedure is followed by the Indian Banks' Association, which floated a tender to find out an insurer who can provide a better package at a lesser price. Thereafter, a contract was entered into between the said insurer and the Indian Banks Association. Rates of premium were also fixed after such negotiations/proceedings between the Indian Banks Association and the Insurance Company. Thus, the Indian Banks Association, for all practical purposes, was acting as an intermediary and after a collective bargaining, better rates of premium were fixed with additional benefits, which were not otherwise available for individual policyholders. Apart from the above, this particular policy is issued for the welfare of the retirees from various banks who by themselves



formed into a class, on account of their prior employment with the banks. Thus, there is a commonality of purpose behind the join together of the members of the Association and the Indian Banks Association, which is bound to ensure the welfare of the retired employees of the banks, while extending the benefits of group insurance policy. Therefore, under no circumstances, the contentions raised by the petitioners can be accepted.

15. When it comes to the decisions relied on by the petitioners, it is to be noted that, the decisions of the Hon'ble Supreme Court in ***Achal Industries(M/s.) and T.S.Devinatha Nadar (supra)*** were relied on to show that, when there is a doubt as to the meaning of a provision in fiscal statute, it must be construed in favour of the tax payers. However, the question to be considered in these cases, is not in relation to the interpretation of the provision in the taxation statute which deals with the imposition of tax, but on the other hand, the interpretation is that of the relevant clause in a statutory notification intended for an exemption contemplated under the Act from the obligation to pay the tax. When it comes to the exemption from tax, the settled position of law is that, when there is doubt as to the interpretation, the benefit of the same should go to the State. Of course, the learned Senior Counsel Sri. R.Lekshmi Narayanan, appearing for Indian Banks Association, relied on the



observations made in ***Commissioner of Customs (Preventive) and Subhas Chandra Bose (supra)*** where it was observed that, the rule regarding exemptions is that, the exemptions should generally be strictly interpreted, but beneficial exemptions having their purpose as encouragement or promotion of certain activities, should be liberally interpreted. However, the question of strict interpretation does not arise in this case, as going by the stipulations contained in Ext.P2 particularly clause 36D thereof, there is no ambiguity, particularly when it is taken into consideration in the light of the recommendations of the GST Council, as reflected in Ext.P1. The intention is very specific, which is confined to the individual policies only, and not to the group insurance policies.

16. Of course, there could be a doubt with regard to the definition of 'group' as contained in Ext.P2, in respect of the groups which are formed solely for the purpose of availing the insurance policy. However, since the IRDAI Regulations does not contemplate for a policy in respect of a group which is formed solely for the purpose of insurance coverage, the policies which are the subject matter in these writ petitions, cannot be construed as policies, that are issued for a group, which are solely constituted for the purpose of insurance coverage. Therefore, I find no merits in the contentions raised by the petitioners. As mentioned above, the exemption



WP(C)No.38316/2025 & Con.Cases 36

provided as per the notification No.16/2025- Central Tax (Rate); G.S.R. 666(E) dated 17.9.2025, is intended to cover the individual policies alone, and not for the group insurance policies issued based on the understanding reached between the Indian Banks Association and the Insurance Company followed by collective bargaining.

In such circumstances, I do not find any merits in these writ petitions and accordingly, these writ petitions are dismissed.

Sd/-

**ZIYAD RAHMAN A.A.**  
**JUDGE**

**pkk**



APPENDIX OF WP(C) NO. 38316 OF 2025

**PETITIONER EXHIBITS**

Exhibit P1	A TRUE COPY OF THE PRESS RELEASE ISSUED BY THE MINISTRY OF FINANCE THROUGH THE PRESS INFORMATION BUREAU ON 03.09.2025
Exhibit P2	A TRUE COPY OF THE RELEVANT PAGES GAZETTE NOTIFICATION NO. 16/2025 DATED 17.09.2025 ISSUED BY THE 1ST RESPONDENT
Exhibit P3	A TRUE COPY OF THE CIRCULAR NO. HR AND IR/MBR/MEDINS/2476 DATED 02.09.2025 ISSUED BY THE 5TH RESPONDENT IBA
Exhibit P4	A TRUE COPY OF THE CIRCULAR DATED 20.09.2025 ISSUED BY THE 4TH RESPONDENT
Exhibit P5	A TRUE COPY OF THE CIRCULAR NO. UFBU/2025/13 DATED 26.09.2025 ISSUED BY THE UFBU
Exhibit P6	A TRUE COPY OF THE LETTER NO. 83-25 AIBPARC/GST COUNCIL/GMISR/2025 DATED 19.09.2025 SUBMITTED BY AIBPARC TO THE CHAIRPERSON OF THE GST COUNCIL
Exhibit P7	A TRUE COPY OF ANOTHER LETTER NO. AIBPARC/GST COUNCIL/GMISR/EMAIL/2025 DATED 20.09.2025 SUBMITTED BY AIBPARC TO THE CHAIRPERSON OF THE GST COUNCIL
Exhibit P8	A TRUE COPY OF CIRCULAR NO. 015/IRDA/LIFE/CIRCULAR/GI GUIDELINES/2005 DATED 14.07.2005 ISSUED BY INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY (IRDA)
Exhibit P9	A TRUE COPY OF THE INTERIM ORDER ON 07.10.2025 IN WPC NO. 36636/2025, VINOD MUKUNDAN & ORS VS UNION OF INDIA & ORS

**RESPONDENT EXHIBITS**

EXHIBIT R6A	COMPARISON CHART
-------------	------------------



APPENDIX OF WP(C) NO. 36636 OF 2025

**PETITIONER EXHIBITS**

- Exhibit P1** A TRUE COPY OF THE PRESS RELEASE ISSUED BY THE MINISTRY OF FINANCE THROUGH THE PRESS INFORMATION BUREAU ON 03.09.2025.
- Exhibit P2** A TRUE COPY OF THE RELEVANT PAGES OF GAZETTE NOTIFICATION NO. 16/2025 DATED 17.09.2025 ISSUED BY THE 1ST RESPONDENT
- Exhibit P3** A TRUE COPY OF THE CIRCULAR NO. HR AND IR/MBR/MEDINS/2476 DATED 02.09.2025 ISSUED BY THE 5TH RESPONDENT IBA
- Exhibit P4** A COPY OF CIRCULAR NO. 100800-2025 DATED 25.09.2025 ISSUED BY THE 4TH RESPONDENT
- Exhibit P5** A TRUE COPY OF THE CIRCULAR NO. UFBU/2025/13 DATED 26.09.2025 ISSUED BY THE UFBU
- Exhibit P6** A TRUE COPY OF THE LETTER NO. 83-25 DATED 20.09.2025 SUBMITTED BY AIBPARC TO THE CHAIRPERSON OF THE GST COUNCIL
- Exhibit P7** A TRUE COPY OF THE LETTER NO. AIBPARC/GST COUNCIL/GMISR/EMAIL/2025 DATED 20.09.2025 SUBMITTED BY AIBPARC TO THE CHAIRPERSON OF THE GST COUNCIL

**RESPONDENT EXHIBITS**

- EXHIBIT R6A** COMPARISON CHART



APPENDIX OF WP(C) NO. 37812 OF 2025

**PETITIONER EXHIBITS**

- Exhibit P1** A TRUE COPY OF THE PRESS RELEASE ISSUED BY THE MINISTRY OF FINANCE THROUGH THE PRESS INFORMATION BUREAU ON 03.09.2025
- Exhibit P2** A TRUE COPY OF THE RELEVANT PAGES GAZETTE NOTIFICATION NO. 16/2025 DATED 17.09.2025 ISSUED BY THE 1ST RESPONDENT
- Exhibit P3** A TRUE COPY OF THE CIRCULAR NO. HR AND IR/MBR/MEDINS/2476 DATED 02.09.2025 ISSUED BY THE 5TH RESPONDENT IBA
- Exhibit P4** A COPY OF EMAIL COMMUNICATION DATED 01.10.2025, ALONG WITH THE ENCLOSURE ISSUED BY THE 4TH RESPONDENT TO THE 1ST PETITIONER
- Exhibit P5** A TRUE COPY OF THE CIRCULAR NO. UFBU/2025/13 DATED 26.09.2025 ISSUED BY THE UFBU

**RESPONDENT EXHIBITS**

- EXHIBIT R6(a)** COMPARISON SHEET
- PETITIONER EXHIBITS**

- Exhibit P6** A TRUE COPY OF THE INTERIM ORDER ON 07.10.2025 IN WPC NO. 36636/2025, VINOD MUKUNDAN & ORS VS UNION OF INDIA & ORS



APPENDIX OF WP(C) NO. 38178 OF 2025

**PETITIONER EXHIBITS**

- Exhibit P1 A TRUE COPY OF THE PRESS RELEASE ISSUED BY THE MINISTRY OF FINANCE THROUGH THE PRESS INFORMATION BUREAU ON 03.09.2025
- Exhibit P2 A TRUE COPY OF THE RELEVANT PAGES GAZETTE NOTIFICATION NO. 16/2025 DATED 17.09.2025 ISSUED BY THE 1ST RESPONDENT
- Exhibit P3 A TRUE COPY OF THE CIRCULAR NO. HR AND IR/MBR/MEDINS/2476 DATED 02.09.2025 ISSUED BY THE 5TH RESPONDENT IBA
- Exhibit P4 A COPY OF CIRCULAR NO. NO. 86/2025-26 DATED 08.10.2025 ISSUED BY THE 4TH RESPONDENT
- Exhibit P5 A TRUE COPY OF THE CIRCULAR NO. UFBU/2025/13 DATED 26.09.2025 ISSUED BY THE UFBU
- Exhibit P6 A TRUE COPY OF THE LETTER NO. 83-25 ALBPARC/GST COUNCIL/GMISR/2025 DATED 19.09.2025 SUBMITTED BY AIBPARC TO THE CHAIRPERSON OF THE GST COUNCIL
- Exhibit P7 A TRUE COPY OF ANOTHER LETTER NO. AIBPARC/GST COUNCIL/GMISR/EMAIL/2025 DATED 20.09.2025 SUBMITTED BY AIBPARC TO THE CHAIRPERSON OF THE GST COUNCIL
- Exhibit P8 A TRUE COPY OF CIRCULAR NO. 015/IRDA/LIFE/CIRCULAR/GI GUIDELINES/2005 DATED 14.07.2005 ISSUED BY INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY (IRDA)
- Exhibit P9 A TRUE COPY OF THE INTERIM ORDER ON 07.10.2025 IN WPC NO. 36636/2025, VINOD MUKUNDAN & ORS VS UNION OF INDIA & ORS

**RESPONDENT EXHIBITS**

- Exhibit R6(a) Comparison chart





APPENDIX OF WP(C) NO. 38436 OF 2025

**PETITIONER EXHIBITS**

Exhibit P1	A TRUE COPY OF THE PRESS RELEASE ISSUED BY THE MINISTRY OF FINANCE THROUGH THE PRESS INFORMATION BUREAU ON 03.09.2025
Exhibit P2	A TRUE COPY OF THE RELEVANT PAGES GAZETTE NOTIFICATION NO. 16/2025 DATED 17.09.2025 ISSUED BY THE 1ST RESPONDENT
Exhibit P3	A TRUE COPY OF THE CIRCULAR NO. HR AND IR/MBR/MEDINS/2476 DATED 02.09.2025 ISSUED BY THE 5TH RESPONDENT IBA
Exhibit P4	A COPY OF CIRCULAR NO. 845/2025 DATED 18.09.2025 ISSUED BY THE 4TH RESPONDENT
Exhibit P4(a)	A COPY OF CIRCULAR NO. 846/2025 DATED 07.10.2025 ISSUED BY THE 4TH RESPONDENT
Exhibit P5	A TRUE COPY OF THE CIRCULAR NO. UFBU/2025/13 DATED 26.09.2025 ISSUED BY THE UFBU
Exhibit P6	A TRUE COPY OF THE LETTER NO. 83-25 AIBPARC/GST COUNCIL/GMISR/2025 DATED 19.09.2025 SUBMITTED BY AIBPARC TO THE CHAIRPERSON OF THE GST COUNCIL
Exhibit P7	A TRUE COPY OF ANOTHER LETTER NO. AIBPARC/GST COUNCIL/GMISR/EMAIL/2025 DATED 20.09.2025 SUBMITTED BY AIBPARC TO THE CHAIRPERSON OF THE GST COUNCIL
Exhibit P8	A TRUE COPY OF CIRCULAR NO. 015/IRDA/LIFE/CIRCULAR/GI GUIDELINES/2005 DATED 14.07.2005 ISSUED BY INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY (IRDA)
Exhibit P9	A TRUE COPY OF THE INTERIM ORDER ON 07.10.2025 IN WPC NO. 36636/2025, VINOD MUKUNDAN & ORS VS UNION OF INDIA & ORS

**RESPONDENT EXHIBITS**

EXHIBIT R6(a)	Comparison chart
---------------	------------------



APPENDIX OF WP(C) NO. 38552 OF 2025

**PETITIONER EXHIBITS**

Exhibit P1	A TRUE COPY OF THE PRESS RELEASE ISSUED BY THE MINISTRY OF FINANCE THROUGH THE PRESS INFORMATION BUREAU ON 03.09.2025
Exhibit P2	A TRUE COPY OF THE RELEVANT PAGES GAZETTE NOTIFICATION NO. 16/2025 DATED 17.09.2025 ISSUED BY THE GST COUNCIL
Exhibit P3	A TRUE COPY OF THE CIRCULAR NO. HR AND IR/MBR/MEDINS/2476 DATED 02.09.2025 ISSUED BY THE 2ND RESPONDENT IBA
Exhibit P4	A TRUE COPY OF THE CIRCULAR NO. UFBU/2025/13 DATED 26.09.2025 ISSUED BY THE UFBU
Exhibit P5	A TRUE COPY OF THE LETTER NO. AIBPARC/GST COUNCIL/GMISR/2025 DATED 19.09.2025 SUBMITTED BY AIBPARC TO THE CHAIRPERSON OF THE GST COUNCIL
Exhibit P6	A TRUE COPY OF ANOTHER LETTER NO. AIBPARC/GST COUNCIL/GMISR/EMAIL/2025 DATED 20.09.2025 SUBMITTED BY AIBPARC TO THE CHAIRPERSON OF THE GST COUNCIL
Exhibit P7	A TRUE COPY OF CIRCULAR NO. 015/IRDA/LIFE/CIRCULAR/GI GUIDELINES/2005 DATED 14.07.2005 ISSUED BY INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY (IRDA)
Exhibit P8	A TRUE COPY OF THE INTERIM ORDER ON 07.10.2025 IN WPC NO. 36636/2025, VINOD MUKUNDAN & ORS VS UNION OF INDIA & ORS

**RESPONDENT EXHIBITS**

EXHIBIT R1A	COMPARISON SHEET
-------------	------------------



APPENDIX OF WP(C) NO. 38670 OF 2025

**PETITIONER EXHIBITS**

- Exhibit P1 A TRUE COPY OF THE PRESS RELEASE ISSUED BY THE MINISTRY OF FINANCE THROUGH THE PRESS INFORMATION BUREAU ON 03.09.2025
- Exhibit P2 A TRUE COPY OF THE RELEVANT PAGES GAZETTE NOTIFICATION NO. 16/2025 DATED 17.09.2025 ISSUED BY THE 1ST RESPONDENT
- Exhibit P3 A TRUE COPY OF THE CIRCULAR NO. HR AND IR/MBR/MEDINS/2476 DATED 02.09.2025 ISSUED BY THE 5TH RESPONDENT IBA
- Exhibit P4 A TRUE COPY OF CIRCULAR I.G NO: IC/713/2025 DATED 29.09.2025 ISSUED BY THE 4TH RESPONDENT
- Exhibit P5 A TRUE COPY OF THE CIRCULAR NO. UFBU/2025/13 DATED 26.09.2025 ISSUED BY THE UFBU
- Exhibit P6 A TRUE COPY OF THE LETTER NO. AIBPARC/GST COUNCIL/GMISR/2025 DATED 19.09.2025 SUBMITTED BY AIBPARC TO THE CHAIRPERSON OF THE GST COUNCIL
- Exhibit P7 A TRUE COPY OF ANOTHER LETTER NO. AIBPARC/GST COUNCIL/GMISR/EMAIL/2025 DATED 20.09.2025 SUBMITTED BY AIBPARC TO THE CHAIRPERSON OF THE GST COUNCIL
- Exhibit P8 A TRUE COPY OF CIRCULAR NO. 015/IRDA/LIFE/CIRCULAR/GI GUIDELINES/2005 DATED 14.07.2005 ISSUED BY INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY (IRDA)
- Exhibit P9 A TRUE COPY OF THE INTERIM ORDER ON 07.10.2025 IN WPC NO. 36636/2025, VINOD MUKUNDAN & ORS VS UNION OF INDIA & ORS

**RESPONDENT EXHIBITS**

- Exhibit R6 (a) Comparison chart



APPENDIX OF WP(C) NO. 38757 OF 2025

**PETITIONER EXHIBITS**

Exhibit P1	A TRUE COPY OF THE PRESS RELEASE ISSUED BY THE MINISTRY OF FINANCE THROUGH THE PRESS INFORMATION BUREAU ON 03.09.2025
Exhibit P2	A TRUE COPY OF THE RELEVANT PAGES GAZETTE NOTIFICATION NO. 16/2025 DATED 17.09.2025 ISSUED BY THE 1ST RESPONDENT
Exhibit P3	A TRUE COPY OF THE CIRCULAR NO. HR AND IR/MBR/MEDINS/2476 DATED 02.09.2025 ISSUED BY THE 7TH RESPONDENT IBA,
Exhibit P4	TRUE COPY OF THE LETTER DATED 02.09.2025 BY THE IBA
Exhibit P5	TRUE COPY OF THE CIRCULAR DATED 29.9.2025 ISSUED BY THE CANARA BANK REGARDING THE RENEWAL IF IBA GROUP HEALTH INSURANCE POLICY FOR THE YEAR 2025-2026
Exhibit P6	TRUE COPY OF THE CIRCULAR ISSUED BY THE CENTRAL BANK OF INDIA REGARDING GROUP HEALTH INSURANCE SCHEME FOR RETIREES UNDER CIRCULAR NO. 1794 DATED 22.09.2025
Exhibit P7	A TRUE COPY OF THE CIRCULAR NO. UFBU/2025/13 DATED 26.09.2025 ISSUED BY THE UFBU
Exhibit P8	. TRUE COPY OF THE LETTER NO. 2025/0068 DATED 04.09.2025 TO THE HON'BLE FINANCE MINISTER AND CHAIRPERSON GST COUNCIL SMT. NIRMALA SITHARAMAN
Exhibit P9	TRUE COPY OF THE LETTER NO. 2025/0069 DATED 08.09.2025
Exhibit P10	TRUE COPY OF THE INTERIM ORDER IN W.P.(C) NO. 36636 OF 2025 DATED 07.10.2025
Exhibit P11	TRUE COPY OF THE STAFF CIRCULAR NO. 1802 DATED 07.10.2025 REGARDING THE EXTENSION OF CUT-OFF DATE FOR SUBMISSION OF RETIREES CONSENT
Exhibit P12	TRUE COPY OF THE ORDER IN WP(C) NO. 37812 OF 2025 DATED 13.10.2025

**RESPONDENT EXHIBITS**

EXHIBIT R8 (A)	COMPARISON CHART
----------------	------------------