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

CNR No. DLHC010722862024

+ W.P.(C) 14734/2024

SEEMA ANSARI

.....Petitioner

Through: Counsel(Appearance not given)

versus

COMMISSIONER OF CUSTOMS

.....Respondent

Through: Mr. Avijit Dikshit, Standing
Counsel with Ms. Monika
Verma, Adv.

CORAM:

HON'BLE MR. JUSTICE ANIL KSHETARPAL

HON'BLE MS. JUSTICE SHAIL JAIN (THROUGH VC)

ORDER

% **02.09.2026**

1. Through the present Writ Petition filed under Article 226 of the Constitution of India, the petitioner, *inter-alia*, prays for directions to the respondent to release gold weighing 184 grams, which was detained from the petitioner on 15.06.2023.

2. In substance, the petitioner's case is that no notice under Section 124 of the Customs Act, 1962 has been issued within the prescribed period. Hence, the proceedings have lapsed and the detained gold is required to be returned/released.

3. Per contra, learned counsel representing the respondent while referring to the Counter affidavit filed by him submits that the Show Cause Notice(hereinafter SCN) was issued to the petitioner on 12.12.2023(*Annexure R-4*). He also refers to the dispatch register to substantiate this position.

4. Learned counsel representing the petitioner further submits that



in fact the SCN was never dispatched to the petitioner as there is no date in the dispatch register.

5. It is obvious that disputed questions of fact are involved in the present case as the petitioner claims that no SCN has been issued under Section 124, which is disputed by the respondent.

6. Hence, the petitioner is relegated to the alternative remedy. Since the matter is pending before the adjudicating authority for more than 3 years, hence, the Petitioner, through his Counsel, is directed to appear before the below mentioned authority on 07.09.2026. at 11:00 AM:

Sh. Shankar Prasad Sharma,

ADC, Customs, IGI Airport

7. It is expected that the adjudicating authority will pass the final Order within a period of two months from today, irrespective of the fact whether the petitioner appears and files a reply or not.

8. With these observations, the present Writ Petition is hereby disposed of.

ANIL KSHETARPAL, J.

SHAIL JAIN, J.

SEPTEMBER 02, 2026/PT/HP