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

+ W.P.(C) 4625/2019

MUSLIMA KAZIMI

..... Petitioner

Through: Mr N. K. Baksh, Advocate.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr Vikas Mahajan, CGSC with Mr
Aakash Varma, Advocates for R-1.
Mr Harpreet Singh, Sr. Standing
Counsel for respondent.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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03.05.2019

CM No.20556/2019

1. Allowed, subject to all just exceptions.

W.P.(C) 4625/2019

2. The petitioner has filed the present petition, *inter alia*, praying as under:-

“It is therefore most respectfully prayed that the personal belongings Bengels, [sic] Ring, Nickels, of the petitioner, may be released and re-export to the Afghanistan and same may be hand over to the petitioner, in the interest of justice.”

3. The petitioner arrived at IGI Airport, New Delhi, from Afghanistan on 15.07.2012. Since the petitioner was carrying certain jewellery, she reported to the red channel and declared the same. The said jewellery weight 264.6 gm. and the same was detained by the custom authorities at the airport. The

detention receipt was handed over to the petitioner clearly indicating that the petitioner could re-export the same. The said receipt also bears a notification that if the goods are not cleared within two months of the detention or any other period as extended by the competent authority, action to dispose of the goods under the relevant provisions of the Customs Act, 1962 will be initiated. The learned counsel appearing for the respondents states that since the petitioner did not take steps for release of the goods within the stipulated period, the customs authorities initiated steps for disposal of the said goods, which were disposed of on 29.03.2016.

4. It is also pointed out that the petitioner was fully aware of the same as it evident from the representation dated 21.05.2018 filed by the petitioner, *inter alia*, requesting that the sale proceeds be sanctioned to the petitioner.

5. The learned counsel appearing for the respondent fairly states that if the petitioner applies for release of the sale proceeds, the same would be duly processed in accordance with law.

6. In view of the above, the present petition is disposed of by directing that in the event the petitioner applies for release of the sale proceeds of the gold jewellery, the application would be processed in accordance with law within a period of four weeks, thereafter.

7. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

MAY 03, 2019

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