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

+ W.P.(C) 7728/2024

S N CONSULTANT

.....Petitioner

Through: Mr Aditya Kumar, Advocate.

versus

DEPUTY COMMISSIONER OF CUSTOMS & ANR....Respondents

Through: Mr Aditya Singla, Sr. Standing
Counsel with Mr Ritvik Saha and Ms
Medha Navani, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

05.11.2024

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

“(a) To direct the respondents to release the goods without bank guarantee

(b) To Direct the Respondent no.1 to re-sample the goods covering under Bill of Entry of Entry No 2197904 Dated 19.02.2024 as per the FSSAI Act;

(c) Pass such other order or orders as may be deemed fit and proper in the interest of justice.”

2. The petitioner is engaged in import and trading of areca nuts and had imported a consignment of the said goods on 12.01.2024. The Bill of Entry



was generated by the Custom Department on 19.02.2024. However, the goods were not released pending verification of the certificate of the country of origin. The petitioner being aggrieved on account of non-release of the goods has filed the present petition.

3. While the present proceedings were pending, samples of the goods were drawn and were sent for testing. This was informed to this court on 22.07.2024 and this court had passed the following order:

“1. Mr. Singla, learned counsel appearing for the respondent, has drawn our attention to a communication dated 12 July 2024 addressed to the authorized officer of the National Food Laboratory, Food Safety & Standards Authority of India and in terms of which a request has been made to the said authority to designate an officer who may draw samples as per the request of the petitioner which has come to be accepted. It is presently not known as to whether further steps have now been taken in that regard.

2. Bearing in mind the fact that the consignment had been detained in February, 2024, we request the respondents to proceed further with due expedition.

3. Let this writ petition be called again to review progress on 12.08.2024.”

4. Thereafter, at a hearing held on 25.09.2024, this Court was informed that the goods had been examined by Food Safety and Standards Authority of India (FSSAI). In the aforesaid circumstances, this Court had directed the concerned authority to examine the report and pass an appropriate order.

5. Mr Aditya Singla, learned counsel, appearing for the respondents submits that an order has been passed and a No Objection Certificate (NOC) for the consignment covered under Bill of Entry No.2197904 dated 19.02.2024 has been granted. He says that there is no impediment on the part of the concerned Custom Authorities for release of the goods in



question.

6. In view of the above, the respondents are directed to forthwith process the Bill of Entry in question and take steps for the release of the goods, in accordance with law.

7. The petition is disposed of in the aforesaid terms.

VIBHU BAKHRU, J

SWARANA KANTA SHARMA, J

NOVEMBER 05, 2024/ tr

[Click here to check corrigendum, if any](#)