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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO.2425 OF 2025

Ajay Sud @ Ajay Das through
Power of Attorney Japnam Singh
Kochhar

...Petitioner

Versus

Commissioenr of Customs & Ors.

...Respondents

**Mr. Sham Walve a/w. Mr. Raghav Srivatsa, Sri Vidya Veneat.
i/b J. Law Associates, for Petitioner.**

**Ms. Ruju Thakkar a/w. Mr. Suman Kumar Das for
Respondents.**

**CORAM: M.S. Sonak &
Jitendra Jain, JJ.**

DATED: 28 July 2025

PC:-

1. Heard Mr. Walve, learned counsel for the petitioner and Ms. Thakkar, learned counsel for the respondents.
2. The challenge in this petition is to the seizure of gold and the show cause notice dated 1 July 2024 which was incidently also the subject matter of Writ Petition No.1094 of 2024 instituted by the petitioner's brother from whom this gold was seized at Chhatrapati Shivaji Maharaj International Airport.
3. We have disposed of Writ Petition No.1094 of 2024. For the reasons set out in our order dismissing Writ Petition

1094/2024, we dismiss this petition as well as which is instituted by the petitioner's brother claiming that the gold belongs to him.

4. Mr. Walve pointed out that in pursuance of the show cause notice which is not addressed to petitioner herein, the petitioner has made a detailed representation dated 9 April 2025. He submits that the petitioner should also be allowed to participate in the show cause proceedings along with his brother Goldie Sud, the petitioner in Writ Petition No.1094 of 2024. *Prima facie*, we see no harm in the petitioner being allowed to participate. Therefore, we give liberty to the petitioner to apply to the authority seeking him to participate in the show cause proceedings. If such application is made, the same should be considered and disposed of in accordance with the law after hearing the petitioner.

5. However, we clarify that petitioner must not delay the adjudication proceedings and co-operate with the authorities in expeditious disposal of the show cause notice.

6. Already, in Writ Petition No.1094 of 2024, we have restrained the respondents from selling the seized gold pending disposal of the show cause notice and for a period of 6 weeks after that, in case, any adverse order is made.

7. Accordingly, we dispose of this petition in the above terms.

8. All concerned must act on an authenticated copy of this order.

(Jitendra Jain, J)

(M.S. Sonak, J)