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

+ **W.P.(C) 2994/2025**

RANJITH REDDY SURAKANTI

.....Petitioner

Through: Mr. Ravi Rathore, Ms. Richa Kumari,
Mr. Pawan, Mr. Yatin Bhutani and Mr.
Yogesh Kumar Rai, Advocates.

versus

COMMISSIONER OF CUSTOMS

.....Respondent

Through: Mr. Harpreet Singh, Senior Standing
Counsel with Ms. Suhani Mathur, Mr.
Jai Ahuja and Mr. Akshay Saxena,
Advocates.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **27.03.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner – Mr. Ranjith Reddy Surakanti under Article 226 of the Constitution of India, seeking the release of a gold *kada* weighing 100 gm. The Petitioner is an Indian citizen.
3. The Petitioner travelled to Bamako, Mali for work and came back to India on 12th March, 2024 by Flight No. ET 686. His one gold *kada* weighing 100 grams was seized by the Customs Authorities and the detention receipt bearing No. 52927 was issued on 12th March, 2024.
4. The appraisal was also conducted on 12th March, 2024, however, thereafter no show cause notice has been issued to the Petitioner. A perusal of



the detention receipt dated 12th March, 2024 itself shows that it is a *kada* weighing 100 grams and this fact is not being disputed.

5. Once the goods are detained, it is mandatory to issue a show cause notice and afford a hearing to the Petitioner. The time prescribed under Section 110 of The Customs Act, 1962, is a period of six months and subject to complying with the formalities, a further extension for a period of six months can be taken by the Department for issuing the show cause notice. In this case, the one year period itself has elapsed, thus no show cause notice can be issued. The detention is therefore impermissible.

6. The time for issuance of show cause notice has already lapsed and in the opinion of this Court, the goods can no longer be detained.

7. Accordingly, the detention is set aside. The Department is directed to return the gold item to the Petitioner without charging any storage charges within a period of four weeks.

8. The petition is disposed of. Pending application(s), if any, also stand disposed of.

PRATHIBA M. SINGH, J.

RAJNEESH KUMAR GUPTA, J.

MARCH 27, 2025/nd/abk