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

+ W.P.(C) 3899/2025

(36) VIKASH KUMAR KESHANPetitioner

Through:

versus

UNION OF INDIA & ORS.

.....Respondents

Through:

+ W.P.(C) 3924/2025

(38) KESHAN INDUSTRIES LLPPetitioner

Through:

versus

UNION OF INDIA & ORS.

.....Respondents

Through:

+ W.P.(C) 3935/2025

(40) RAJNEESH KESHANPetitioner

Through:

versus

UNION OF INDIA & ORS.

.....Respondents

Through:

Presence:

Mr. V. Lakshmikumaran, Mr. S. Vasudevan, Mr. Mahendra Singh and Mr. Yogendra Aldak, Advs. for petitioners.

Mr. Rakesh Kumar, CGSC, Mr. Gokul Sharma, GP and Mr. Sunil, Adv., UOI.

Mr. Nishant Gautam, CGSC, Mr. Dhruv Joshi, Mr. Vinay Kaushik, Mr. Vipul Verma and Mr. Prithvi, Advs. for UOI.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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28.03.2025

CM APPL.18124/2025 (Exemption) in W.P.(C) 3899/2025

CM APPL.18200/2025 (Exemption) in W.P.(C) 3924/2025

CM APPL.18378/2025 (Exemption) in W.P.(C) 3935/2025



1. Allowed, subject to all just exceptions.
2. Applications stand disposed of.

W.P.(C) 3899/2025

W.P.(C) 3924/2025

W.P.(C) 3935/2025

3. The present petitions assail an order dated 12.03.2025, passed by the respondent no.2/Commissioner of Custom (Appeals), under Section under Section 37A(3) of Foreign Exchange Management Act, 1999 (hereinafter '*FEMA*').
4. At the outset, it is conceded by learned counsel for the petitioner that the said order is appealable under Section 37(A)(5) of FEMA to the Appellate Tribunal constituted under Section 18 of FEMA.
5. Considering the aforesaid, the present appeals are disposed of with liberty to the petitioner to avail the prescribed statutory appellate remedy against the impugned order.
6. Learned senior counsel for the petitioner emphasizes that the impugned order suffers from errors apparent on the face of the record and are causing grave prejudice to the petitioner.
7. In the circumstances, the Appellate Tribunal is requested to decide the appeals as expeditiously as possible and preferably within a period of one year from today.
8. The petitioner shall be at liberty to file an application seeking interim relief, if any, before the Appellate Tribunal, which shall also be considered by the Appellate Tribunal on its own merits.
9. The present petitions are disposed of, in the above terms.

MARCH 28, 2025/cl

SACHIN DATTA, J