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

+ **W.P.(C) 4020/2025**

POOJA SETH

.....Petitioner

Through: Ms. Richa Kumari, Advocate

versus

COMMISSIONER OF CUSTOMS

.....Respondent

Through: Ms. Anushree Narain, SSC with Mr.
Singhal (Official of Customs Deptt.)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **19.05.2025**

1. This hearing has been done through hybrid mode.
2. On 1st April, 2025, this Court had directed the Respondent to release the personal gold jewellery of the Petitioner. Moreover, the Petitioner was permitted to file an affidavit in respect of the ill treatment that had been allegedly meted out to her and her family at the Indira Gandhi International Airport, New Delhi. The relevant portion of the said order reads as under:

“9. The Court is convinced that the gold jewellery was not liable to be seized, as the same are personal effects of the Petitioner. Accordingly, the gold jewellery shall be released by the Customs Department within two working days without payment of any storage charges.

10. The Petitioner is free to file an affidavit, if she so wishes in respect of the ill treatment that has been meted out to her



and her family at the IGI Airport. "

3. On 15th April, 2025, the Court after hearing the parties had passed the following order:

"6. Heard the Id. Counsel for the Petitioner and the Petitioner who is present in person.

7. The events which have transpired subsequent to the order dated 1st April, 2025 are completely inexplicable. It was made clear from the order that the gold jewellery shall be released within two days without payment of any storage charges.

8. However, it is submitted that the Petitioner was made to wait on 11th April, 2025 from 12:30 PM till 8:00 PM in the evening at the IGI Airport. The gold jewellery was also not released within two days as directed by the order dated 1st April 2025.

9. Storage charges to the tune of Rs. 18,137/- have also been charged for the release of the gold jewellery from the Petitioner. The storage charges have been collected by one Mr. Siddharth and the same has been paid by way of credit card by the Petitioner. Cash receipt has been produced before the Court. Let the same be taken on record.

10. The Petitioner is herself present in the Court, who submits that she met Mr. Maharishi Singhal, Assistant Commissioner, who was supposed to attend her. The Petitioner was again subjected to harassment and was made to wait for almost 8 hours for the release of gold jewellery. The Petitioner was also forced to pay the storage charges.

11. This Court notes that as directed vide order dated 1st April 2025, the Respondent was to pay the Petitioner costs



of Rs. 25,000/-. However, the same has not been paid.

12. Let Mr. Singhal to remain physically present in the Court on the next date of hearing.

13. List on 23rd April, 2025.

14. It is made clear that if the costs are not paid, the Court would be constrained to take stringent action, as the Petitioner who is present clearly appears to have been subjected to unnecessary harassment despite clear orders of this Court.”

4. A perusal of the above would show that there are two aspects in this matter for the consideration of the court:

- (i) The alleged ill treatment meted out to the Petitioner and her family by the Customs Official.
- (ii) The waiver of storage charges.

5. Insofar as the first aspect is concerned, Ms. Anushree Narain, SSC at the outset submits that pursuant to this Courts order Mr. Singhal, Assistant Commissioner, Customs is present today and that he was also present on the last date *i.e.*, 23rd April, 2025. It is submitted that the Petitioner was unfortunately made to wait for a considerable time due to the fact that Mr. Singhal had been summoned by the senior officials for a meeting which continued for a long time. Mr. Singhal has expressed regret. In view thereof, the costs imposed on the Customs Department is waived of.

6. Insofar as, waiver of storage charges is concerned, the Court had clearly directed *vide* order dated 1st April, 2025 that no storage charges would be collected from the Petitioner. However, despite the said direction the Central Warehousing Corporation (hereinafter “CWC”) has charged Rs. 18,136/-.



7. Ms. Anjali Ralhan, Assistant Manager, CWC, who is present in Court, submits that she would take up the matter urgently and ensure that the amount is refunded to the Petitioner within one week. The said statement is accepted. It is made clear that if the refund is not given, then costs would be liable to be imposed on CWC, as the collection of storage charges was contrary to the order passed by this Court.

8. The petition stands disposed of in above terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

RAJNEESH KUMAR GUPTA, J.

MAY 19, 2025/PU/msh