



\$~44

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 5340/2025**

RAMVATHI GANGARI

.....Petitioner

Through: Mr. Ashish Panday, Mr. Ajay Singh,
Mr. Akshat Raghuvanshi and Mr.
Viraat Tripathi, Advocates.

versus

COMMISSIONER OF CUSTOMS

.....Respondent

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

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **25.04.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner – Ramvathi Gangari under Article 226 and 227 of the Constitution of India, *inter alia*, seeking directions to the Respondents to unconditionally release the four gold *kadas* of the Petitioner seized *vide* detention receipt bearing No. DR/INDEL4/05-05-2024/004351 dated 05th May, 2024.
3. The case of the Petitioner is that she travelled from Kuwait to India on an emergency passport on 5th May, 2024. Upon arrival at the Terminal- 3, Indira Gandhi International Airport, New Delhi, the Petitioner was intercepted by the concerned officials of the Custom Department and the four gold *kadas* (hereinafter, ‘*gold items*’) were seized.
4. The Petitioner appeared before the Customs Department for appraisal. However, the appraisal was not done. No show cause

This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.

The Order is downloaded from the DHC Server on 01/05/2025 at 16:19:50



notice has been issued till date. The initial period of six months as provided by Section 110 of the Customs Act, 1962 has already been passed in the matter.

5. In the opinion of this Court, the gold items are liable to be released to the Petitioner without any fine or penalty inasmuch as show cause notice has not been issued and no extension has been taken by the Customs Department. At this stage, no show cause notice can be issued. The Petitioner is, however, willing to pay the duty amount.

6. Let the Petitioner appear before the Customs Department, who shall quantify the duty payable and collect the same from the Petitioner and release the gold items. No penalty or fine shall be payable.

7. The Petitioner shall appear before the Customs Department on 13th May, 2025 either personally or through Authorized Representative. The gold items shall be released after verifying the credentials and after payment of duty.

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

PRATHIBA M. SINGH, J.

RAJNEESH KUMAR GUPTA, J.

APRIL 25, 2025/nd/ck