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

+ **W.P.(C) 5875/2025**

UMESH PRASAD

.....Petitioner

Through: Mr. Amit Kumar Attri, Adv.

versus

**COMMISSIONER OF CUSTOMS PREVENTIVE NEW CUSTOMS
HOUSE NEW DELHI**

.....Respondent

Through: Appearance not given

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

ORDER

% **29.07.2025**

1. This hearing has been done through hybrid mode.
2. Despite opportunity being given twice for filing of the counter affidavit earlier on 05th May 2025 and then on 04th July 2025, the counter affidavit is not filed by the Respondent- Customs Department.
3. The present petition relates to the vehicle of the Petitioner, which is a DCM Tata Truck, that has been seized by the Respondent-Department on the ground that there was some importation of garlic of Chinese origin. The goods are already stated to be detained along with the truck on 20th December, 2024. A truck cannot be indefinitely detained, especially the livelihood of the Petitioner would depend on the same. In view thereof, the seized vehicle shall be released to the Petitioner after obtaining a personal bond of the Petitioner.



4. Thereafter, if any Show Cause Notice is to be issued, the same may be issued and the proceedings in accordance with law shall continue.
5. The vehicle shall be released within two weeks
6. The petition is disposed of. Pending applications, if any, are also disposed of.
7. List for compliance on 22nd September, 2025.

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

JULY 29, 2025/pd/Ar.