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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6061/2025**

MOHAMMAD SHAHVEZ

.....Petitioner

Through: Mohd. Ather Ansari and Mr. S. Vijay
Kant, Advocates.

versus

THE COMMISSIONER OF CUSTOMS & ORS.Respondents

Through: Ms. Anushree Narain, SSC with
Mr.Ankit Kumar, Advocate.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE RAJNEESH KUMAR GUPTA

ORDER

% **19.05.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner- Mohammad Shahvez under Article 226 and 227 of the Constitution of India, *inter alia*, seeking release of the two gold bars, weighing 175 grams in total, seized by the Customs Department *vide* Detention Receipt No. 3317 dated 19th November 2023 (hereinafter, '*detention receipt*').
3. The case of the Petitioner is that he arrived at the Indira Gandhi International Airport, New Delhi (hereinafter, '*IGI Airport*') from Saudi Arabia on 19th November 2023. Upon arrival at the IGI Airport, he was intercepted by the concerned officials of the Customs Department and the gold bars were seized from the Petitioner *vide* issuing a detention receipt.
4. According to Ms. Anushree Narain, Id. Sr. Standing Counsel for Respondent, the gold bars had engraving and the Petitioner had also made a



statement that he was carrying it for someone else. Ms. Narain further submits that the Order-in-Original has been passed in this matter on 31st January, 2024.

5. The Petitioner, however, submits that he has not received a copy of the same. The copy of the same is tendered today to the Petitioner and to the Court. The same is taken on record.

6. Considering that the Order-in-Original appears to have not been served upon the Petitioner, the Petitioner is permitted to file an appeal under Section 128 of the Customs Act, 1962 to the Commissioner (Appeals) by 15th July, 2025. If the same is filed by 15th July, 2025, it shall be considered on merits and not be dismissed on the ground of limitation.

7. The petition is disposed of. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

RAJNEESH KUMAR GUPTA, J.

MAY 19, 2025

v/ck