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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 6386/2025**

SAJID KHAN

.....Petitioner

Through: Mr. Javed Khan & Mr. Prashant
Solanki, Advs

versus

THE COMMISSIONER OF CUSTOMS

.....Respondent

Through: Ms. Anushree Narain, SSC with Mr.
Naman Choula, Adv

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

ORDER

% **10.09.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed, *inter alia*, seeking release of the eight cut gold pieces, weighing 148 grams (hereinafter, “*seized gold items*”), of the Petitioner seized by the Customs Department *vide* Detention Receipt dated 28th June 2024.
3. On 14th May, 2025, the Court after hearing the parties had issued notice and observed as under:

“4. The case of the Petitioner is that he arrived at the Terminal-3, Indira Gandhi International Airport, New Delhi (hereinafter, ‘IGI Airport’) from Saudi Arabia on 28th June 2024. Upon arrival at the IGI Airport, the Petitioner was intercepted by the concerned officials of the Customs Department and the said goods were seized from the Petitioner. The appraisalment of the goods which were detained was conducted on 07th August, 2024. However, no Show Cause Notice has been issued till dated.

5. Issue notice. Ms. Anushree Narain, Id. Senior



Standing Counsel, accepts notice for Respondent.

6. Let a short counter affidavit be filed by the Respondent by the next date of hearing.”

4. Today, it is submitted by Ms. Narain, Id. SCC that a personal hearing has already been provided to the Petitioner and the Order-in-Original is yet to be passed.

5. Considering the above position, since the Petitioner has already been heard, let the adjudicating authority pass the Order-in-Original. It is made clear that considering the nature of the seized goods, the Order-in-Original shall be passed in accordance with the law in respect of duty, fine and penalty. However, in view of the fact that the delay has been caused by the Customs Department, no warehousing charges shall be collected in this matter.

6. Let the Order-in-Original be served to the Petitioner through its Id. Counsel within one week.

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

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

SEPTEMBER 10, 2025/sk/msh