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

+ **CONT.CAS(C) 799/2025**

HARSH VINOD KUMAR

.....Petitioner

Through: Mr. S Vijay Kanth & Mr, Utkarsh
Tripathi, Advs.

versus

VISHAL PAL SINGH

.....Respondent

Through: Ms. Suhani Mathur & Mr. Jai Ahulja
Proxy Advs. for MR, Harpreet Singh,
Standing Counsel for Customs with
Mr. Satyam, Superintendent,
Customs

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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19.05.2025

CM APPL. 30559/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

CONT.CAS(C) 799/2025

1. This petition alleges wilful disobedience of judgment dated 19th March 2025 passed by the Division Bench of this Court in ***W.P.(C) No. 3382/2025***.

The relevant portion of the judgment is as under:



2. The present petition has been filed by the Petitioner-Harsh Vinod Kumar under Article 226 of Constitution of India seeking issuance of an appropriate writ to direct release of the gold bangle weighing 44 grams of the Petitioner which has been seized *vide* detention receipt no. 38364 dated 4th July 2024 (Old detention receipt no. 4715 dated 27th June 2024).
 3. The case of the Petitioner is that he arrived at Terminal-3 of IGI Airport in New Delhi from Hong Kong on 27th June, 2024. The seized goods of the Petitioner were appraised and the value of the goods was stated to be approximately Rs. 2,00,000/-. The Petitioner is stated to have given his representation on 4th March, 2025 seeking release of the goods. However, the goods have not been released.
 4. Mr. Harpreet Singh, Id. Senior Standing Counsel on behalf of the Respondent, on instructions submits that no show cause notice has been issued in this matter and no Order-in-Original has been passed by the Adjudicating Authority.
 5. In view thereof, since the time period for issuing the show cause notice has already elapsed in terms of Section 110 of the Customs Act, 1962, the goods are directed to be released within a period of four weeks, without collecting any storage charges.
 6. The release shall be subject to verification of the Petitioner or the authorised person.
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2. Counsel for petitioner states that release has still not taken place and that a representation was given on 23rd April 2025.
 3. He further states that he was informed yesterday, after filing of the contempt petition, about release of said goods.
 4. *Ms Suhani Mahur*, Adv. appears for *Mr. Harpreet Singh*, Standing Counsel for Customs, on instructions of *Mr Satyam*, *Superintendent Customs Department*, present in Court, states that release will be made without collecting storage charges, in terms of order dated 19th March 2025.
 5. *Ms Suhani Mahur*, Advocate, further states that the issue of storage



charges has been agitated by the department before the Division Bench of this Court in a batch petition, since this issue has cropped up in numerous matters.

6. She, therefore, states that they have no difficulty in goods being released without collecting storage charges, subject to any orders that may be passed by the Division Bench of this Court, and if specifically applicable to this matter as well.

7. This petition stands disposed of in above terms.

8. Accordingly, release shall take place within the next two days. It is made clear that pendency of the batch petitions before the Division Bench will not impede compliance of the undertaking given for release.

9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

MAY 19, 2025/sm/bp