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

+ **W.P.(C) 6696/2025**

**FAHIM AHMAD**

.....Petitioner

Through: Dr. Ashutosh, Ms. Fatima, Ms. Komal  
and Mr. Yousuf Karim, Advocates.

versus

**COMMISSIONER OF CUSTOMS**

.....Respondent

Through: Ms. Anushree Narain, Advocate.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**JUSTICE RAJNEESH KUMAR GUPTA**

**ORDER**

% **21.05.2025**

1. This hearing has been done through hybrid mode.
2. The present writ petition has been filed by the Petitioner under Articles 226 and 227 of the Constitution of India, *inter alia*, seeking release of the gold bar weighing 116 g detained by the Customs Department *vide* Detention Receipt dated 2nd June, 2024.
3. Ld. Counsel for the Petitioner submits that no Show Cause Notice (hereinafter "SCN") was issued and Order-in-Original has been passed, this is disputed by the Department. The acknowledgment of the receipt of the Order-in-Original by the then Counsel of the Petitioner dated 20<sup>th</sup> August, 2024 is placed on record. The Order-in-Original dated 20th August, 2024 also is itself on record.
4. Considering the nature of the goods that have been seized, the



Petitioner is permitted to file an appeal challenging the said Order-in-Original before the Commissioner of Customs (Appeals) under Section 128 of the Customs Act, 1962.

5. If the appeal is filed by 10<sup>th</sup> July, 2025, the same shall be considered on merits and shall not be dismissed on limitation. Nothing said in this order shall come in the way of the appeal being adjudicated which shall be considered on merits on its own terms.

6. The Commissioner Appeals shall afford a personal hearing to the Petitioner at the following e-mail address and mobile number:

e-mail : [fatima05adv@gmail.com](mailto:fatima05adv@gmail.com)

Mobile No. : 9873554305

7. The order shall be passed within a period of three months. The documents handed over by Ms. Anushree Narain, Id. Counsel for the Respondent are taken on record.

8. Accordingly, the present writ petition is disposed of in above terms. All the pending applications, if any, are also disposed of.

**PRATHIBA M. SINGH, J**

**RAJNEESH KUMAR GUPTA, J**

**MAY 21, 2025/MR/msh**