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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **W.P.(C) 11398/2025**

ASR INDIA PVT. LTD.

.....Petitioner

Through: Mr. Tej Pratap & Ms. Illashree, Advs.  
versus

COMMISSIONER OF CUSTOMS AND ORS

.....Respondents

Through: Mr. Aakarsh Srivastava, SSC for R-1.  
Mr. Varun Parashar and Ms. Ridhi  
Kapoor for Respondent No. 4.

**CORAM:**

**JUSTICE PRATHIBA M. SINGH**

**JUSTICE RENU BHATNAGAR**

**ORDER**

% **24.11.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner- ASR India Pvt. Ltd. under Article 226 of the Constitution of India, *inter alia*, seeking release of six containers bearing Nos. CCLU3592121, CLHU2162574, CLHU3402113, CMAU1101216, GATU1270925, TEXU3989142, detained at the ICD, Patparganj and ICD Patli Port, Gurgaon by the Customs Department.
3. The brief background of the case is that certain goods are stated to have been exported using the abovementioned containers by Respondent No.4 through Respondent No.3 i.e. the Shipping Agent. The detained containers belong to the Petitioner. However, these containers appear to have been seized by the Customs Department in respect of certain proceedings which the Customs Department may have initiated against Respondent Nos.3 and 4 and till date, the same are lying at the ICD of the Customs Department.
4. The grievance of the Petitioner is that detention took place in the year 2020 and till date, the containers are not being released by the Customs



Department.

5. On 7<sup>th</sup> August, 2025, Mr. Srivastava, Id. Senior Standing Counsel was directed to seek instructions in the following terms:

*“6. Be that as it may, considering the fact that the six containers are stated to be located currently at ICD, Patparganj and ICD Patli Port, Gurgaon, let Mr. Srivastava, Id. SSC seeks instructions in respect of release of these containers as the same cannot be detained indefinitely by the Customs Department.”*

6. An affidavit has now been filed on behalf of Respondent Nos. 1 and 2, stating that there has been no illegal detention/seizure of the containers by Respondent Nos 1 & 2. The only reason that the containers are still lying at ICD is because the Petitioner and Respondents 3 & 4 did not take any *inter se* steps to have them released.

7. It is today submitted that Respondent Nos. 1 & 2 have no objection in letting the Petitioner take back its containers, subject to grant of NOC from the DRI, Gandhidham and the Petitioner complying with all formalities mandated as per law. Mr. Aakarsh Srivastava, Id. SSC has also handed over a letter dated 30<sup>th</sup> October, 2025 issued by the Deputy Director, DRI, Gandhidham, which states as under:



Sub: NOC in case of M/s Aaradhya Minerals, Kotri, Bhilwara, Rajasthan (IEC: AGCPL3074F) in the matter of WPC No. 11398/2025 filed by M/s ASR India Pvt. Ltd. Before the Hon'ble High Court of Delhi-M/reg.

Kindly refer to your office letter F.N. C.No. VIII(B)40/ICD Patli/Aaradhya/DRI-Invst./107/2020 dated 15.10.2025 on the above subject.

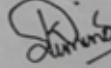
2. In this connection, it is hereby informed that this office has already completed the investigation pertaining to the said matter. Furthermore, SCN dated 24.12.2021 vide F.N. CUS/SHED/MISC/754/2021-SHED-ICD-PATLI-CUS-COMMRTE-PPG-DELHI has been issued by your good office. (Copy enclosed for reference)

3. In view of the above, this office has no objection to release of empty containers to the concerned shipping line, subject to the goods remaining in safety custody by the customs authorities.

4. This is issued with the approval of Joint Director, DRI Gandhidham Regional Unit.

Yours faithfully,

Encl: As above.

  
30/10/25  
(Kanghujam Sunindra Singh)  
Deputy Director,  
DRI GRU, Gandhidham

8. On the other hand, Mr. Varun Parashar, Id. Counsel appears for Respondent No.3, submits upon being queried that he has no response as to why his client did not clear the goods.

9. Accordingly, in terms of the submissions made by Id. Counsel for Respondent No. 1 & 2, as also the above stated letter dated 30<sup>th</sup> October, 2025 issued by the DRI, Gandhidham, let all the six containers be released to the Petitioner. Insofar as any dispute that may arise between Petitioner and private Respondents are concerned, the same are not the subject matter of this writ petitions and are not being considered by this Court. Insofar as the remedies of the Petitioner against any of the private Respondents are concerned, the same are left open to be availed of in accordance with law.

10. Let the release of the containers be effected within a period of two weeks, subject to completion of formalities.



11. Petition is disposed of in these terms. All pending applications, if any, are also disposed of.

**PRATHIBA M. SINGH, J.**

**RENU BHATNAGAR, J.**

**NOVEMBER 24, 2025**

*Rahul/ss*