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

\+ **W.P.(C) 11767/2025**

GAYRAT DONIEV .....Petitioner

Through: Counsel(Appearance not given)

versus

COMMISSIONER OF CUSTOM & ORS. .....Respondents

Through: Mr. Vishal Chadha,SSC.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE SHAIL JAIN

<u>O R D E R</u>

% 10.11.2025

1. This hearing has been done through hybrid mode.

2. The present petition has been filed, *inter alia,* seeking release of one gold pendant weighing 99.5 grams and another piece of gold of uneven shape weighing 148.5 grams (hereinafter "*the detained goods*"), which were detained *vide* Detention Receipt dated 20th November, 2023.

3. The brief facts of the case are that the Petitioner, holding a Uzbekistan passport, had travelled from Uzbekistan to India on 19th November, 2023. Upon his arrival at the Indira Gandhi International Airport, New Delhi the Petitioner was intercepted and the detained goods were seized on 20th November, 2023. Thereafter an Order-in-Original was passed on 16th February, 2024 directing absolute confiscation of the detained goods along with penalty.

4. This order was challenged by the Petitioner by way of an appeal and *vide* Order-in-Appeal dated 24th September, 2024, the detained goods have been released for re-export on payment of redemption fine and penalty in the

following terms:-

ORDER

"6.0 In light of discussions and findings as above, I allow the appeal against O-in-O No. OIO No 1013/2687/23.09.2023/WH/2023-24 dated 24-11-2023 and order that the impugned Gold One Gold Pendant having purity 986, weight 99.50 grams valued at Rs 5,65,169/- and One Piece of Gold of uneven shape having purity 992, weight 148.5 grams and valued at Rs 8,48,627/- (Total Value Rs 14,13.796/-) ***<u>be released for re-export on payment of redemption fine of Rs. 210,000/-</u>*** *under Section 125 of the Customs Act, 1962. The penalty under Section 112(a) and 112(5) of the Customs Act, 1962 is upheld to Rs. 140,000/- The Appert disposed with such modifications and consequential relief as above."*

5. On the last date of hearing *i.e.,* 06th August, 2025, the ld. Counsel for the Customs Department had informed the Court that a review has been preferred before the Revisional Authority and the same is pending. Accordingly, the Court had directed the Revisional Authority to decide the same within two months *i.e.,* by 15th October, 2025.

6. Today, it is submitted by Mr. Chadha, ld. SSC that the Revision Authority has dismissed the Department's review on 6th November, 2025. A copy of the said order has been placed on record.

7. In effect therefore, the Order-in-Appeal dated 24th September, 2024 would have to be given effect to.

8. Accordingly, let the Petitioner appear before the Customs Authority on 02nd December, 2025. On the said date, the Petitioner upon paying the charges as per the Order-in-Appeal, the detained goods shall be released.

9. If the Petitioner is not physically available, he shall appear virtually, and the Authorised Representative shall be present in person. The identity of

the Petitioner, and the Authorised Representative, shall be verified before releasing the detained goods.

10. The Nodal Officer mentioned below shall facilitate the Petitioner's appearance before the competent authority for compliance with the present Order.

Mr. Mukesh Gulia
Superintendent, Legal
E-mail: igilegaldelhi@gmail.com

11. Petition is accordingly disposed of in the above terms. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

NOVEMBER 10, 2025/*pt/msh*