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

+ **W.P.(C) 11870/2025**

ABDUL MAJID MOHAMMED VATANIYAPetitioner

Through: Mr. M.A. Ansari and Mr. Mobin
Akhtar, Advs.

versus

COMMISSIONER OF CUSTOMS AND ORS.Respondents

Through: Mr. Shubham Tyagi, SSC, CBIC & Ms.
Navruti Ojha, Advs. (M: 9650049869)

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

ORDER

% **07.08.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner seeking implementation of the Order-in-Appeal dated 16th August, 2023 and setting aside of the detention receipt dated 23rd September, 2021.
3. It is the case of the Petitioner that he arrived at IGI Airport, Delhi from Saudi Arabia on 23rd September, 2021 and upon his arrival, a gold bar weighing 300 grams (*hereinafter, 'detained article'*), which was *bona-fidely* declared with intent to pay requisite Customs Duty, was seized by the Customs Department.
4. Thereafter, the adjudicating authority passed an order dated 11th May, 2022, directing absolute confiscation of the detained article. The said order was challenged by the Petitioner before the appellate authority and the Order-in-Appeal was passed on 16th August, 2023.



5. The relevant portion of the Order-in-Appeal is extracted as under:

“ Order

6.1 *I allow the redemption of the confiscated impugned Gold collectively weighing 217 grams, valued at Rs. 12,95,283/- on payment of redemption fine of Rs. 1,30,000/- (Rs One Lakh & Thirty Thousand only} under Section 125 (1) of the Customs Act, 1962 . Other conditions for availing redemption as laid 1962 Section 125 of Customs Act, 1962 shall be complied with.*

6.2 *I reduce the personal penalty imposed u/s 112 (& 114 A of the Customs Act , 1962 to Rs 1,00,000/ (Rs One. Lakh only).”*

6. The submission on behalf of the Respondent is that the said Order-in-Appeal has been challenged by the Department before the Revisional Authority. In view thereof, the only order that can be passed at this stage is to direct the Revisional Authority to take a decision upon the challenge to the Order-in-Appeal within a period of three months from today.

7. The petition is disposed of in these terms. Pending applications, if any, are also disposed of.

8. All rights and remedies are left open.

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

AUGUST 7, 2025

dj/ss