$~72

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

\+ **W.P.(C) 12749/2025**

DHEERAJ VATS .....Petitioner

Through: Mohd. Ather Ansari and Md. Mobeen Akhter, Advs.

versus

THE COMMISSIONER OF CUSTOMS .....Respondent

Through: Mr. Shubham Tyagi, SSC CBIC.

CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE RENU BHATNAGAR

O R D E R

% **26.11.2025**

1. This hearing has been done through hybrid mode.

2. This matter is being taken up today, as 25th November, 2025 was declared a holiday on account of 'Guru Tegh Bahadur's Martyrdom Day' *vide*Notification No. 35/G-4/Genl.-I/DHC.

3. The present petition has been filed on behalf of the Petitioner-Dheeraj Vats under Article 226 of the Constitution of India, *inter alia*, challenging the impugned Order-in-Original dated 30th July, 2024 passed by the Office of the Commissioner of Customs (Airport & General).

4. Vide the said Order-in-Original the confiscation of the goods of the Petitioner being, one gold chain weighing about 117 grams has been confirmed. The said item was confiscated by the Customs Department in terms of the detention receipt dated 18th February, 2024.

5. The Petitioner challenges the impugned Order-in-Original by which a gold chain of 117 grams has been seized. The Petitioner claims that the same

is his personal effect which was being used by him. Further, the Petitioner relies upon certain photographs to establish that the said gold chain is his personal effect.

6. On 22nd August, 2025, notice was issued in the matter and seized gold item was directed to be produced. The Court has seen the seized gold item, it is clearly not an old personal effect but is a new chain purchased abroad which ought to have been declared.

7. Accordingly, the only order that this Court is inclined to pass in this matter is for permitting the Petitioner to avail of the appellate remedy in accordance with law. If the appeal is filed by 15th January, it shall not be dismissed on the ground of being barred by limitation and shall be adjudicated on merits.

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

PRATHIBA M. SINGH, J.

RENU BHATNAGAR, J.

NOVEMBER 26, 2025/*kp/hp*