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

+ **W.P.(C) 16470/2025**

SHRI DAULAT RAM LAMBA

.....Petitioner

Through: Mr. RitajKacher, Ms. Divya Rastogi,
Advs.

versus

THE UNION OF INDIA & ORS.

.....Respondents

Through: Ms. AnushreeNarain, SSC with Mr.
Naman Choula, Mr. YamitJetley,
Adv.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

ORDER

% **12.11.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner under Article 226 of the Constitution of India, *inter alia*, seeking implementation of the Order-in-Original dated 4th November, 2024 (hereinafter, '*impugned order*') passed by the Office of the Commissioner of Customs (Airport & General).
3. The case of the Petitioner is that he is an Overseas Citizen of India (hereinafter, '*OCI*') card holder and travelled to India on 22nd October, 2024 from California, United States of America. Upon arrival at the Indira Gandhi International Airport, New Delhi, a gold *kada* and a gold chain, collectively weighing 247 grams were seized by the Customs Department.
4. According to the Customs Department, the gold *kada* is an '*elongated gold piece bent in circular shape*' weighing 217 grams and the gold coin is stated to be weighing 31 grams. The Order-in-Original has been passed on



4th November, 2024 by which the Petitioner is being permitted to redeem the same in the following terms.

"i) I deny the 'Free Allowance' if any admissible to the passenger, Daulat Ram Lamba for the various acts of commission and omission;

ii) I declare the passenger, Daulat Ram Lamba is an "eligible Passenger" for the purpose of the Notification No. 50/2017-Cus dated 30.06.2017 (as amended) read with Baggage Rules, 2016 (as amended);

iii) I order confiscation of "(i) One elongated gold piece bent in circular shape having purity 998, weight 217 grams and valued at 15,80,872/- (ii) One gold coin engraved "Elizabeth 50 Dollar" having purity 998, weight 31 grams and valued at 2,34,872/- (Total value at Rs. 18,15,744/-)" recovered from the Pax Daulat Ram Lamba and detained vide DR/INDEL4/22.10.2024/005340 dated 22.10.2024, under Section under Section 111(d), 111(j) & 111 (m) of the Customs Act, 1962;

iv) I give an option to redeem the goods confiscated above, on payment of a fine of Rs.2,50,000/- (Rupees Two Lakh Fifty Thousand Only) under Section 125 of Customs Act, 1962 and allowed the same for re-export from India only by the Pax since the passenger is a United States of America national having United States of America Passport No. 645817401 and OCI Card No. A4137540 issued on 27.08.2021. The redemption is to be allowed after the completion of legal formalities in this regard and also fulfillment of any regulatory clearances/ approvals required. The offer of redemption, if accepted, shall be subject to condition that the Pax shall not dispute the identity and valuation of the detained goods. The offer of redemption shall cease after 'One Hundred Twenty



Days' from date of the receipt of this order.

v) I also impose a penalty of Rs.1,80,000/- (Rupees One Lakh Eighty Thousand Only) on the passenger Daulat Ram Lamba under Section 112(a) & 112(b) of the Customs Act, 1962.”

5. On the last date of hearing i.e., 30th October, 2025, Ms. AnushreeNarain, Id. SSC for the Respondent was directed to seek instructions on the last date.

6. Today, Ms. AnushreeNarain, Id. SSC has reverted and submits that the Customs Department has not challenged the impugned order. Ms. Narain, Id. SSC also submits that the Customs Department had communicated the impugned order to the earlier Counsel of the Petitioner.

7. Be that as it may, considering that the impugned order was in favour of the Petitioner and had permitted redemption of the goods, let the impugned order be given effect to.

8. The Petitioner may make the payment in terms of the impugned order and appear before the Customs Authorities on **2nd December, 2025 at 11:00 A.M.** in person or through an Authorised Representative, in which case, a proper email from the Petitioner or some form of communication to be sent to the Customs Department that the Petitioner has authorised the concerned Authorised Representative to appear on behalf of the Petitioner.

9. 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, Customs
IGI Airports, T-3, New Delhi
Email id: igilegaldelhi@gmail.com



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

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

NOVEMBER 12, 2025/tg/ck