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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(C) 18375/2025

M/S MANAV MINERALS PRIVATE LIMITEDPetitioner

Through: Mr. Abhishek Thakur, Mr. Rohit Jain,
Mr. Mahipal and Mr. Prashant Jha,
Adv.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Adv. Aditya Singla, SSC, CBIC with
Mr. Dhananjay Gautam, Ms. Arya
Suresh Nair, Mr. Akhil Sharma and
Mr. Shreya Lamba, Adv.
Mr. Gaurav Chudasama, Adv. for R-
7.
Mr. Gibran Naushad, SSC with Mr.
Harsh Singhal and Mr. Suraj Shekhar
Singh, Adv. for R2&5.
Mr. Shashank Sharma and Ms.
Malika Kumari, Adv. for R-6.
Ms. AnushreeNarain, SSC and Mr.
YamitJetely, Adv.
Mr. Bhagwan Swarup Shukla, CGSC
with Mr. Ashutosh Pathak and Mr.
Yash Baraliya, Adv.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

ORDER

% **11.12.2025**

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 release of the imported cargo covered under Bill of entry No. 3415109 dated 22nd July, 2025.
3. A brief background of the Petitioner's case is that the said imported cargo consists of talcum powder, however, the same was detained under



some suspicion by the concerned officials of the Customs Department. It is stated that despite repeated requests for expeditious clearance, the said consignment has continued to remain detained and in the meanwhile the Petitioner was being levied heavy demurrage charges.

4. On the previous date of hearing i.e., 3rd December, 2025 the submission made by Id. Counsel for the Petitioner is as under:

“5. The Id. Counsel for the Petitioner submits that clearance certificate has been issued on 30th October, 2025 (hereinafter “NOC”) issued by the Deputy Commissioner of Customs, Mundra, Kutch, Gujarat, whereby the subject goods have been cleared after due completion of the respective Customs procedure. The Id. Counsel also relies on the letter dated 3rd November, 2025 issued by the same Department, as per which the subject goods have to be released without payment of rent or demurrage charges till the date of issuance of NOC.”

5. Thereafter, on the previous date the Court had also considered letters dated 30th October, 2025 and 3rd November, 2025 and had directed as under:

“8. In view of the above, prima facie the subject consignment is liable to be released without payment of any rent or demurrage charges till the issuance of the NOC. Moreover, the Petitioner cannot be blamed for the further delay in the release as well.

9. Issue notice. Mr. Gibran Naushad, Id. SSC is present in Court and is requested to accept notice for the Customs Department.

10. Let notice be also issued by the Registry to Respondent No. 6 and 7, through all modes upon appropriate steps being taken by the Petitioner.

11. Mr. Naushad, Id. SSC shall take instructions and make



submissions on the next date, failing which the subject consignment would be liable to be released.”

6. Today, Mr. Gaurav Chudasama, Id. Counsel has entered appearance for Respondent No.7 and Mr. Shashank Sharma, Id. Counsel has entered appearance for Respondent No.6.

7. The question of maintainability has been raised in this matter as the entire consignment is at the Mundra Port which is located in Gujarat. Additionally, the Special Intelligence and Investigation Branch, Customs Department (*hereinafter*, ‘SIIB’) commenced the investigation in Gujarat and the shipping lines, etc. are also in Gujarat.

8. Further, both the Id. Counsels for Respondents No. 6 and 7 have taken a stand that post the issuance of the clearance certificate/No objection certificate dated 30th October, 2025, by the Customs Department, only the detention and demurrage charges are being charged.

9. Under such circumstances, the Petitioner cannot have any grievance against the Respondents.

10. The Petitioner is at liberty to get the consignment released after paying the detention and demurrage charges to Respondent No.6 to 7, for the period post 30th October, 2025.

11. The legal issue in respect of jurisdiction is left open.

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

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

DECEMBER 11, 2025/kp/sm