



\$~4

*

IN THE HIGH COURT OF DELHI AT NEW DELHI*Date of decision: 18th December, 2025**Uploaded on: 23rd December, 2025*

+

W.P.(C) 18960/2025 & CM APPL. 78963/2025**NANDAR NI NI**

.....Petitioner

Through: Mr. Shashank Rai & Ms. Anushi Aggarwal, Advs.

versus

COMMISSIONER OF CUSTOMS (AIRPORT AND GENERAL) & ORS.

.....Respondents

Through: Ms. Monica Benjamin, SSC with Ms. Nancy Jain, Adv.
Mr. Himanshu Pathak, SPC with Mr. Sanjay Pal, GP & Mr. Chetan Sharma, Adv. for UOI.**CORAM:****JUSTICE PRATHIBA M. SINGH****JUSTICE SHAIL JAIN****Prathiba M. Singh, J. (Oral)**

1. The 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*, assailing the Order-in-Original dated 12th November, 2025 passed by the Additional Commissioner of Customs, Indira Gandhi International Airport, Terminal-3, New Delhi (*hereinafter*, '*impugned order*').
3. A brief background of the Petitioner's case is that the Petitioner's mother is stated to have purchased certain Buddhist gold jewellery viz., bangles, in Myanmar in the year 1990. Additionally, certain jewellery items such as necklace and pendant are also stated to have been purchased by the



Petitioner's mother in the year 2023.

4. The Petitioner's mother was travelling to India on 16th September, 2024. Upon her arrival at the Indira Gandhi International Airport, Terminal-3, New Delhi, she was intercepted by the concerned officials of the Customs Department and certain gold items were seized from the Petitioner's mother. The details of the gold items detained as per the detention receipt dated 16th September, 2024 are as under:

- three gold bangles,
- one gold chain,
- one gold pendant

The above-mentioned gold items collectively weigh a total of 326 grams. (*hereinafter, 'gold items'*)

5. In order to verify the authenticity of the Petitioner's claims, on the last date of hearing *i.e.*, 15th December, 2025, the Court had called for the gold items to be produced and the same have been produced today before the Court in a sealed box. The same are compared with the photographs placed on record and the photographs handed over by the Petitioner today.

6. The photographs show that the Petitioner's mother has been continuously wearing the gold items for a very long time. The Court has also seen the invoices which have been placed on record to support the purchase which would show that some of the jewellery was purchased way back in 1990 and some has been purchased in 2023.

7. Under these circumstances and considering the nature of the jewellery itself which has been produced, the same clearly appear to be genuine used *personal effects* of the Petitioner and were not liable for detention. The Petitioner is also a national of Myanmar and follows Buddhism and the gold



items also clearly appear to be Buddhist jewellery.

8. Under these circumstances, the gold items are directed to be released subject to the payment of 50% of warehousing charges till date as applicable on the date of detention. The Petitioner shall appear before the Customs Department on **6th January, 2026 at 11:00 AM** 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. The Petitioner's mother shall join virtually for the purposes of verification of credentials.

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
Office of Commissioner, Customs
IGI Airports, T-3, New Delhi
Email id: igilegaldelhi@gmail.com***

10. The gold items produced today have been returned to the concerned official from the Customs Department who is present in Court today.

11. Petition is disposed of in these terms. All pending applications, if any, are also disposed of.

**PRATHIBA M. SINGH
JUDGE**

**SHAIL JAIN
JUDGE**

DECEMBER 18, 2025/Rahul/ck