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

+ **W.P.(C) 18965/2025**

ASIF & ANR.

.....Petitioners

Through: Mohd. Ather Ansari and Mr. Mobin
Akhter, Advs.

versus

THE COMMISSIONER OF CUSTOMS & ORS.Respondents

Through: Ms. Anushree Narain, SSC

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

ORDER

% **15.12.2025**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioners under Article 226 of the Constitution of India, *inter alia*, seeking implementation of the Order-in-Appeal dated 9th August, 2023 passed by the Commissioner of Customs (Appeals), New Customs House, New Delhi (*hereinafter, OIA*).
3. A brief background of the Petitioners' case is that, the Petitioners were travelling from Delhi to Dubai on 23rd July, 2022. They are stated to be carrying foreign currency in the form of Saudi Riyals totaling to 29,000 and 38,500 (*hereinafter, 'foreign currency'*) which were stated to be seized by the Customs Department *vide* detention receipt dated 23rd July, 2022 bearing No. 30579.
4. At the relevant time, the value of the foreign currency is stated to be Rs. 14 lakhs.
5. Additionally, the Petitioners admit to have signed certain statements



before the Customs Department.

6. The Show Cause Notice was issued to the Petitioners on 3rd January, 2023 by the Customs Department (*hereinafter*, ‘SCN’), which is stated to have been replied to by the Petitioners on 25th January, 2023. Pursuant thereto, the Order-in-Original dated 25th May, 2023 was passed by the Adjudicating Authority (*hereinafter*, ‘OIO’) directing absolute confiscation of the seized foreign currency of the Petitioners.

7. Thereafter, Petitioners preferred an appeal against the OIO and the Order in Appeal (“OIA”) was passed. The relevant portion of the OIA reads as under:

“ORDER

i. I allow redemption of confiscated foreign currency amounting to 29,000 Saudi Arabian Riyal equivalent to INR 5,98,850/- recovered from appellant 1 on payment of redemption fine of Rs. 60,000/-(Rs. Sixty Thousand Only) u/S 125(1) of the Customs Act, 1962.

ii. I allow redemption of confiscated foreign currency amounting to 38,500 Saudi Arabian Riyal equivalent to INR 7,95,025/- recovered from appellant 2 on payment of redemption fine of Rs. 80,000/-(Rs. Eighty Thousand Only) u/S 125(1) of the Customs Act, 1962.

iii. I reduce penalty imposed on Appellant No. 1 Mr. Asif to Rs. 45,000/-(Rs. Forty Five Thousand); on Appellant No. 2 Mr. Mohsin Khan to Rs. 60,000/- and on Appellant No. 3 Mr. Aadil to Rs. 50,000(Rs. Fifty Thousand) under Section 114 of Customs Act, 1962.”

8. *Vide* the present petition, the Petitioners are seeking implementation of the aforesaid OIA.



9. Ms. Anushree Narain, Id. SSC on behalf of the Customs Department submits that a revision petition has been filed by the Customs Department before the Revisional Authority and the same is pending.
10. Considering the long duration that has lapsed since the filing of the revision petition, it is directed that the revision petition be decided expeditiously by the Revisional Authority and in any case before 30th April, 2026. A personal hearing shall be afforded to the Petitioners before the Revisional Authority. All rights and remedies are left open.
11. Accordingly, the present petition is disposed of.

PRATHIBA M. SINGH, J.

SHAIL JAIN, J.

DECEMBER 15, 2025/pt/sm