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

Date of Decision: 24th December, 2025

Uploaded on: 26th December, 2025

+ **W.P.(C) 19740/2025**

**ONG KOK THONG THROUGH SPA ARPITA
CHANDA**

.....Petitioner

Through: Ms. Richa Kumari, Adv.
versus

COMMISSIONER OF CUSTOMS

.....Respondent

Through: Avijit Dikshit, SC, Adv.

CORAM:

JUSTICE PRATHIBA M. SINGH

JUSTICE SHAIL JAIN

Prathiba M. Singh, J. (Oral)

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 1st August, 2025 passed by the Assistant Commissioner of Customs, Indira Gandhi International Airport, Terminal-3, New Delhi (*hereinafter, 'Order-in-Original'*).
3. A brief background of the present case is that, the Petitioner is a Singapore National who arrived in India on 22nd January, 2025. The Petitioner is stated to have been invited by the Electronic Industries Association of India to participate in a trade exhibition namely '*14th Source India- Electronics Supply Chain*', scheduled on 18th to 19th February, 2025 at the Chennai Trade Centre.



4. According to the Petitioner, he had obtained permission to bring two sets of radio signal testers along with two adapters (*hereinafter, 'the goods'*) from the Wireless Planning and Coordination (*hereinafter, 'WPC'*) wing of the Ministry of Communication, Government of India, and had therefore carried the same to India.

5. Upon his arrival at the Indira Gandhi International Airport, Terminal-3, New Delhi, the goods were detained by the Customs Department *vide* detention receipt bearing no. 5691 dated 22nd January, 2025. The same were appraised and a new detention receipt bearing No. 40065 dated 24th June, 2025 was issued to the Petitioner.

6. Pursuant thereto, the Order-in-Original has been passed by the Adjudicating Authority. In terms of the Order-in-Original, the Adjudicating Authority has held that there was no violation of Section 77 of the Customs Act, 1962 and has permitted the unconditional release for re-export of the goods in the following terms:

"ORDER

i. I allow the 'Free Allowance' admissible to the Pax Ong Kok Thong for his bona fide baggage.

ii. I order unconditional release for re-export of "02 sets of Radio Signal Tester with 02 adapters" valued at 8,71,000/- "detained vide DR No. 5691 dated 22.01.2025 finding no violation of the Customs Act, 1962.

*iii. I also refrain from imposing any **penalty** on the Pax, **Ong Kon Thong** under Section 112 or 114A of the Customs Act, 1962."*

7. *Vide* the present petition, the petitioner seeks implementation of this Order-in-Original.

8. Mr. Avijit Dikshit, Id. Counsel for the Customs Department submits



that an appeal has been preferred by the Customs Department against the Order-in-Original.

9. Heard. The Order-in-Original is itself dated 1st August, 2025. However, no intimation of the filling of the appeal has been given to the Petitioner.

10. Under these circumstances, let a personal hearing be afforded to the Petitioner in the appeal and a reasoned order be passed by the Appellate Authority by 15th February, 2026. The personal hearing notice shall be communicated to the Petitioner on the following mobile no. and e-mail address:

- *E-mail Address:* yadavricha493@gmail.com
- *Mobile No.:* 8766321884

11. If the Petitioner has the WPC approval, the detention of the goods may itself not be in accordance with law. This fact may be considered by the Appellate Authority.

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

PRATHIBA M. SINGH
JUDGE

SHAIL JAIN
JUDGE

DECEMBER 24, 2025/pd/sm