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

+ **W.P.(C) 15800/2025**

JAFAR ABDULLAEV

.....Petitioner

Through: Dr Ashutosh and Ms. Fatima,
Advocates.

Versus

COMMISSIONER OF CUSTOMS

.....Respondent

Through: Mr. Harpreet Singh, Senior Standing
Counsel with Ms. Suhani Mathur and
Mr Jatin Kumar Gaur, Advocates.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

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07.04.2026

CM APPL. 21992/2026 (seeking condonation of delay in filing rejoinder)

1. The present application has been filed by the petitioner seeking condonation of 9 days' delay in filing the rejoinder.
2. For the grounds mentioned in the application, the application stands allowed and the delay in filing the rejoinder stands condoned. Rejoinder be taken on record.
3. The application stands disposed of accordingly.



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4. The petitioner, a Uzbek citizen, travelled to India. While crossing the green channel, he was detained and a 35 grams of gold jewellery appears to have been seized on 20th September, 2025 under sub-section (1) of Section 110 of the Customs Act.

5. The further procedure which is required to be adjudicated by the respondent is that of proceedings for confiscation by issuing a Show Cause Notice, however, till date, the same has not been taken recourse to.

6. Rather, perusal of the photocopy of the Detention receipt demonstrates that the *Panchs* were made to sign subsequent to the drawing of the Detention receipt.

7. Learned counsel for the petitioner, during the course of hearing, has produced the carbon copy of the Detention receipt which was made available to the petitioner. The said carbon copy depicts that but for the entire handwritten material, the signatures of the *Panchs* are taken in original. According to him, the detention was not in the presence of *Panchs*, who have subsequently signed the Detention receipt and the same can be easily referred, leading to an inference that the Detention receipt was drawn in a bogus manner. It is further urged that what was detained was 35 grams of 14 carat gold. It is further claimed that not only the detention was carried out illegally, but also the petitioner was subjected to overnight detention at the Airport.

8. When confronted, the respondent is not in a position to give any satisfactory explanation to the same.

9. Let the Air Customs Superintendent to explain the aforesaid position,



as has been reflected in order passed hereinabove.

10. That being so, we deem it appropriate to post the matter for consideration, by way of last chance, on 13th April, 2026.

NITIN WASUDEO SAMBRE, J

AJAY DIGPAUL, J

APRIL 7, 2026/ay/ok