

GAHC010179332026



undefined

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/4562/2026

SMTI MALAN ANANDA YADAV
W/O.- SRI ANANDA YADAV, R/O- 401 E WARD, ZOPADPPATI, VICHARE MAL,
P.O- KARVIR, P.S. KOLAHPUR, DIST- KOLHAPUR, MAHARASHTRA, 416003.

VERSUS

THE UNION OF INDIA AND 7 ORS
REPRESENTED BY THE SECRETARY, TO THE DEPARTMENT OF REVENUE,
CENTRAL BOARD OF EXCISE AND CUSTOMS MINISTRY OF FINANCE,
GOVERNMENT OF INDIA, NEW DELHI.

2:THE COMMISSIONER OF CUSTOMS PREVENTIVE
110 MAHATMA GANDHI ROAD NER SHILLONG 793001
MEGHALAYA.

3:THE ADDL COMMISSIONER
OF CUSTOMS PREVENTIVE 110 MAHATMA GANDHI ROAD NER
SHILLONG 793001 MEGHALAYA.

4:THE DEPUTY COMMISSIONER
OF CUSTOMS PREVENTIVE DIVISION GUWAHATI- 13 NILMONI PHUKAN
PATH SREE NAGAR GUWAHATI- 781006
ASSAM.

5:SUPERINTENDENT PREVENTIVE CUSTOMS PREVENTIVE DIVISION
GUWAHATI 13 NILMONI PHUKAN PATH SREE GUWAHATI
ASSAM- 781006.

6:THE ADDITIONAL DIRECTOR GENERAL
DIRECTORATE OF REVENUE INTELLIGENCE GUWAHATI ZONAL UNIT
CHRISTAN BASTI GUWAHATI-78006
ASSAM

7:THE INTELLIGENCE OFFICER
DIRECTORATE OF REVENUE INTELLIGENCE
GUWAHATI ZONAL UNIT
GUWAHATI
ASSAM.

8:THE SENIOR INTELLIGENCE OFFICER
DIRECTORATE OF REVENUE INTELLIGENCE
GUWAHATI ZONAL UNIT
ASSAM

For the Petitioner(s) : Mr. B. P. Borah, Advocate

For the Respondent(s) : Mr. J. Handique, Jr. GA, Assam

: Mr. S. C. Keyal, Sr. Advocate

: Mr. R. Kumar, Advocate

BEFORE
HONOURABLE MR. JUSTICE DEVASHIS BARUAH

ORDER

Date : 07.09.2026

Issue notice making it returnable on 14.09.2026.

2. Mr. R. Kumar, the learned counsel who assists Mr. S. C. Keyal, the learned Senior counsel as well as the Standing counsel of the Customs Department accepts notice for the Respondent Nos. 1 to 8.

3. As all the Respondents are duly represented, extra copies of the writ petition be served upon Mr. R. Kumar, the learned counsel by 08.09.2026.

4. The Petitioner herein has approached this Court being aggrieved by the seizure of 16 pieces of yellow metal weighing 1634.36 grams by the Respondent No.7 and thereupon not taking any action on the application filed by the Petitioner on 02.04.2026 seeking provisional release of the gold.

5. It is the further case of the Petitioner that without informing the Petitioner, proceedings have also been initiated for the purpose of selling the said gold which the Petitioner could come to learn from a communication issued to one Shri Johny Das dated 10.07.2026.

6. It is relevant to take note that the Petitioner had approached this Court by filing the writ petition on 14.08.2026 and today, when the matter is being taken up, almost two months have passed since the communication dated 10.07.2026 was issued.

7. It is the allegation of the Petitioner that the Respondents, more particularly the Respondent No. 3, have not decided the application for provisional release, though the same was filed on 02.04.2026.

8. Taking into account the above, this Court therefore directs the Respondents herein to provide instructions on the next date as to whether the provisional release application filed by the

Petitioner has been decided and further what course of action the Respondents have taken in pursuance to the communication dated 10.07.2026.

9. The name of Mr. S. C. Keyal, the learned Senior counsel along with his assisting counsel Mr. R. Kumar be reflected in the Cause List.

10. List accordingly.

JUDGE

Comparing Assistant