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**GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
DEPARTMENT OF REVENUE**

**Office of the Principal Commissioner RA and  
Ex-Officio Additional Secretary to the Government of India**

8<sup>th</sup> Floor, World Trade Centre, Cuff Parade,  
Mumbai- 400 005

F. NO. 371/78-A/B/15-RA / 4429

Date of Issue: 16/10/19

ORDER NO. 62/2019-CUS(WZ) /ASRA/Mumbai, DATED 30.08.2019  
OF THE GOVERNMENT OF INDIA PASSED BY SMT. SEEMA ARORA,  
PRINCIPAL COMMISSIONER & EX-OFFICIO ADDITIONAL SECRETARY TO  
THE GOVERNMENT OF INDIA, UNDER SECTION 129DD OF THE  
CUSTOMS ACT, 1962.

Applicant : Shri Rakeshkumar Jayanthilal Lathigara, Rajkot.

Respondent : Additional Commissioner of Customs, Ahmedabad.

Subject : Revision Applications filed under section 129DD of the  
Customs Act, 1944 against the Order-in-Appeal No. AHM-  
CUSTM-000-APP-101-15-16 dated 18.08.2015 passed by the  
Commissioner of Customs (Appeals) Ahmedabad.

**ORDER**

This revision application is filed by Shri Rakeshkumar Jayanthilal Lathigara, (hereinafter referred to as "the applicant") residing at 1, Opp. Patel Samaj Wadi, Opp. Bus Station, Bhayavadar, Rajkot against the Order-in-Appeal No. AHM-CUSTM-000-APP-101-15-16 dated 18.08.2015 passed by the Commissioner of Customs (Appeals) Ahmedabad.

2. The brief facts of the case are that the applicant Shri Rakesh kumar Jayanthilal Lathigara, holding Indian Passport No. F 7902634 arrived by Qatar Air Lines Flight No. QR 534 from Doha at Sardar Vallabhbhai Patel International Airport, Ahmedabad. The applicant had brought luggage consisting of one hand bag and a check in bag and opted for green channel and submitted disembarkation slip. On noticing his suspicious movements he was diverted to the red channel by the Air Intelligence unit of Customs , Ahmedabad and his baggage was sent for screening on x-ray screen installed in the premises of the Airport.

3. Upon examination the applicant was found to be in possession of the gold strip duly concealed in the check in bag and a silver coated gold kada recovered from his body, which he attempted to smuggle in violation of the provisions of the Baggage Rules, 1998. Upon conclusion of investigations the applicant was issued show cause notice dated 18.07.2014 which was adjudicated by Additional Commissioner, Customs Ahmedabad vide Order in Original No. 21/ADC-MRM/SVPIA/)&A/2014 dated 09.02.2015 ordering absolute confiscation of the Gold strips concealed in the check in bag and silver coated Gold Kada recovered from his body totally weighing 1555.650 gms valued at Rs.39,56,300/- under Section 111(l) read with 111(m) of the Customs Act,1962; imposing penalty of Rs.2,50,000/- under Section 112(b) of the Customs Act, 1962 and also imposing penalty of Rs.1,00,000/- under Section 114AA of the Customs Act,1962.

3. Being aggrieved, the applicant filed an appeal before the Commissioner of Customs (Appeals), Ahmedabad who vide Order-in-Appeal No. AHM-CUSTM-000-APP-101-15-16 dated 18.08.2015 upheld the

Order in Original No. 21/ADC-MRM/SVPIA/)&A/2014 dated 09.02.2015 and rejected the appeal of the applicant.


4. Being aggrieved with the impugned order in appeal, the applicant had filed this Revision Application (No.371/78-A/B/15) under Section 129DD of the Customs Act, 1962 before the Government on the various grounds mentioned therein.

5. Now, vide letter dated 03.07.2019 addressed to the Revisionary Authority, Mumbai, the applicant, Shri Rakeshkumar Jayanthilal Lathigara has informed that "due to some personal reasons, he seeks to withdraw the aforesaid Revision Application filed against Order in Appeal No. AHM-CUSTOM-000-APP-101-15-16 dated 18.08.2015 passed by Commissioner of Customs (Appeals), Ahmedabad and that he does not desire to be heard in person as he does not desire to pursue the matter anymore.

6. Government notes that the applicant, Shri Rakeshkumar Jayanthilal Lathigara has himself requested for withdrawal of the present Revision Application vide letter dated 03.07.2019. Under such circumstances, Government without going into the merits of the case, allows the applicant to withdraw the Revision Application bearing F.No.371/78-A/B/15.

7. The Revision Application is dismissed as withdrawn.

8. So, ordered.

  
(SEEMA ARORA)  
Principal Commissioner & Ex-Officio  
Additional Secretary to Government of India

ORDER No. 02/2018-CX (WZ) /ASRA/Mumbai DATED 30.08.2019

To,  
Shri Rakeshkumar Jayanthilal Lathigara,  
1, Opp. Patel Samaj Wadi,  
Opp. Bus Station,  
Bhayavadar, Rajkot.

Copy to:

1. The Principal Commissioner of Customs, Customs House, Navrangpura, Ahmedabad-380 009.
  2. The Commissioner of Customs (Appeals), Ahmedabad, Customs House, Navrangpura, Ahmedabad-380 009.
  3. The Additional Commissioner of Customs (Appeals), Ahmedabad, Customs House, Navrangpura, Ahmedabad-380 009.
  4. Guard file,
  5. Spare Copy.
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