

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

2025.PHHC:078780-DB



Civil Writ Petition No. 15912 of 2025 (O&M)

Date of Decision: 03.07.2025

Mandeep Singh @ Deep and another

.....Petitioners

versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJIV BERRY, JUDGE**

Present : Mr. Suram Singh Rana, Advocate with
Mr. Arvind Kr. Sharma, Advocate, for the petitioner.
Mr. Aman Sharma, Advocate, for respondent No.3
Mr. Salil Sabhlok, Sr. Deputy Advocate General, Punjab.

SHEEL NAGU, CHIEF JUSTICE (Oral)

Challenge in this petition is to the impugned order dated 23.08.2024 (Annexure P-4) passed under Section 68(F)(2) of the Narcotics Drugs and Psychotropic Substances Act, 1985 (for short 'NDPS Act') and final notice dated 24.03.2025 under Sections 87(1) and 88 of the Punjab Regional & Town Planning and Development Act, 1995, respectively.

2. Learned counsel for the petitioners does not dispute that against final notice dated 24.03.2025 (Annexure P-8), an appeal has already been filed by the petitioners and therefore, the challenge made herein has become infructuous and is dismissed herein with liberty to the petitioners to pursue the remedy of appeal already availed.

3. As regards impugned order dated 23.08.2024 (Annexure P-4) is concerned, learned counsel for respondents No.1 and 2 submits that the aforesaid order is appealable under Section 68(O) of the NDPS Act. The said

appeal needs to be filed within 45 days but not later than 60 days which period is already over.

4. It is submitted by learned counsel for the petitioners that the impugned order dated 23.08.2024 (Annexure P-4) has not yet been served upon the petitioners and therefore, the petitioners are dissuaded from preferring any appeal against the said order.

5. Be that as it may, since the Appellate Authority under Section 68(O) of the NDPS Act is vested with the power to condone the delay but not beyond 60 days counted from the date of service of the order/notice, it would be appropriate that the petitioners approach the Appellate Authority by filing an appropriate application for seeking condonation of delay.

6. Consequently, this Court without commenting upon the merits of the case, lest the appellate authority may be prejudiced, disposes of this petition with aforesaid liberty which if availed by the petitioners within 15 working days, the same shall be entertained and decided on the question of condonation of delay first and if the request for condonation of delay is acceded to by the Appellate Authority, then the appeal be heard and decided on merits.

7. With these observations, the petition stands disposed of.

**(SHEEL NAGU)
CHIEF JUSTICE**

**(SANJIV BERRY)
JUDGE**

03.07.2025

ravinder

Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√