

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

210-1

CWP-26553-2018
Date of Decision: 06.03.2024

BALWINDER SINGH

... Petitioner

VERSUS

THE APPELLATE TRIBUNAL & OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Suram Singh Rana, Advocate
for the petitioner.

Mr. Saurav Verma, Addl. A.G., Punjab
for respondent No.3.

Respondents No.1 and 2 already *ex-parte*
vide order dated 28.08.2019.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the order dated 28.02.2018 (Annexure P-2) whereby an *ex-parte* freezing order passed by respondent No.3 had been confirmed by respondent No.2; and the order dated 01.08.2018 (Annexure P-5) whereby the appeal filed by the petitioner has been dismissed on the ground of limitation.

Counsel for the petitioner has been confronted with the reply filed on behalf of respondent No.3 by way of an affidavit of Inspector Avtar Singh, Station House Officer, Police Station Kalanaur, wherein it has been averred that as per the report of concerned Tehsildar, Gurdaspur, the property (land) of the petitioner being 1/3rd of 18 kanals was purchased by Balwinder Singh vide sale deed dated 25.05.1984 and 30.12.1984 from Smt. Charni and Santokhi daughters of Bahadur Singh, which was purchased about 18-20 years prior to the registration of the present case, so it does not come within the purview of Section 68F(2) of the NDPS Act, 1985. Hence a communication had been sent to respondent No.2 vide memo No.55-5EP dated 23.01.2019 for de-freezing the property of the petitioner.

Learned counsel for the petitioner does not dispute the abovesaid factual aspect and submits that since the property of the petitioner has already been ordered to be de-freezed, the present petition has become infructuous.

Disposed of as having been rendered infructuous.

MARCH 06, 2024
rajender

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No