



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-7410-2022
Date of Decision : **06.03.2025**

RAKESH KUMAR AND ANR.

.....Petitioners

VERSUS

STATE OF PUNJAB AND ORS.

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Jasvir Singh Dhaliwal, Advocate,
for the petitioner.

Mr.Pardeep Bajaj, DAG, Punjab.

Mr. Gaurav Goel, Advocate
for the respondent no.4.

Mr. Sourabh Goel, Sr. Standing Counsel
for the respondent no.6.

KULDEEP TIWARI, J.(Oral)

1. Through the instant writ petition filed under Article 226/227 of the Constitution of India, a prayer is made for quashing of the order dated 29.04.2021 (Annexure P-4), passed by respondent no.6 i.e. the competent authority and Administrator under SAFEM (FOP) Act & NDPS Act.

2. It is informed to this Court by learned counsel for respondent no.6 that the impugned order (*supra*) is in fact an appealable order before the tribunal concerned.

3. The only reason assigned by learned counsel for the petitioner to maintain the instant petition before this Court is that at the time of filing the instant petition the tribunal concerned, was not functioning.

4. It is informed to this Court that now the tribunal concerned, has started functioning, therefore, the present petitioners are **relegated** to the tribunal concerned, for redressal of their grievance.

5. In case, the petitioners files an apt motion before the authority concerned, the latter concerned, shall make its all endeavours to decide the same, after giving an adequate opportunity to hearing to the parties concerned. Application seeking seeking condonation of delay, if any, filed therewith, be also considered most sympathetically, considering the fact that the petitioners had maintained the instant writ petition, before this Court since the year 2022.

6. **Disposed of** accordingly.

7. All pending application(s), if any, also stand **disposed** of accordingly.

March 06, 2025
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No