



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

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CWP-17460-2026

Date of Decision: 27.05.2026

SHIV DIYAL SINGH

...Petitioner

Vs.

UNION OF INDIA AND ANOTHER

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Akshay Chadha, Advocate for the petitioner

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking setting aside of proceedings initiated under Section 68 of NDPS Act, 1985 on account of being *non est* in the eye of law. He is further seeking setting aside of order dated 05.05.2026 whereby his son was granted an opportunity of hearing. He is also seeking direction to respondent No.2 to provide another opportunity of hearing to his son.

2. As per pleadings, the petitioner is owner of residential house situated at Village Manepur District Gurdaspur. An FIR No.143 dated 21.09.2025 was registered against Dilbagh Singh. The police authorities passed order dated 02.05.2026 whereby his house was freezed. The adjudicating authority-respondent No.2 issued notice dated 05.05.2026 whereby hearing was fixed on 11.05.2026. The petitioner received aforesaid communication on 11.05.2026, thus, it was impossible to appear.

3. Learned counsel for petitioner submits that respondent-competent authority has not granted him opportunity of hearing. Letter dated 05.05.2026 whereby matter was fixed for hearing on 11.05.2026 was received on the same day, thus, it was not possible to appear and address the arguments.

4. From the perusal of record, it is evident that Annexure P-1 is not an order whereas it is a notice of hearing. The notice was issued to Dilbagh Singh who is son of the petitioner. There is nothing on record disclosing as to whether petitioner or his son has requested the competent authority to grant another opportunity of hearing or time to file reply. If as on day order has not been passed, the petitioner may submit his reply to respondent. In the absence of any such document, there is no occasion to entertain present petition.

5. Dismissed.

6. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

May 27, 2026
Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No