

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

1. **CWP-2018-2016**
Date of Decision: May 23, 2017

Subhash ChanderPetitioner
Versus
State of Haryana and othersRespondents

2. **CWP-11332-2017**

Rajesh Grover and othersPetitioners
Versus
State of Haryana and othersRespondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE HARI PAL VERMA**

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|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.Ashish Gupta, Advocate
for the petitioner in CWP-2018-2016
Mr.Sanjeev Sharma, Sr.Advocate with
Mr.Vikram Vir Sharda, Advocate
for the petitioners in CWP-11332-2017.

Mr.Deepak Balyan, Addl.AG, Haryana.
Mr.Lokesh Sinhal, Advocate
for HUDA

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SURYA KANT, J.

This order shall dispose of the above captioned writ petitions as the point in issue involved in both the cases is common in nature.

[2] The action challenged in CWP No.2018 of 2016 pertains to non-acceptance of auction amount and/or refund of the amount which the petitioner had deposited being the successful bidder in respect of a commercial site which was auctioned on 25.11.2002. The bid amount has

not been accepted, at this belated juncture, under the orders passed by the Chief Administrator, HUDA, who has rejected the previous auction held in the year 2002. This fact is evident from the communication dated 21.11.2014 (Annexure R4/7).

[3] In the connected writ petition, i.e. CWP No.11332 of 2017, the petitioners have already filed a revision petition before the State Government against the order of the Chief Administrator wherein status quo has been ordered to be maintained by the Revisional Authority. The said revision petition is maintainable under Section 13(2) of the Haryana Urban Development Authority Act, 1977. In the first case, the petitioner appears to have not filed any revision petition.

[4] Be that as it may, since the petitioner in CWP No.2018 of 2016 has been pursuing remedy before this Court, we grant liberty to him to file the revision petition before the State Government within two weeks from the date of receipt of a certified copy of this order. If such a revision petition is filed, we direct the Revisional Authority to decide both the revision petitions on merits after hearing the parties and in accordance with law, as early as possible and preferably within a period of four months.

(SURYA KANT)
JUDGE

May 23, 2017
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(HARI PAL VERMA)
JUDGE

- 1. Whether speaking/reasoned ?**
- 2. Whether reportable ?**

Yes/No
Yes/No