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*** IN THE HIGH COURT OF DELHI AT NEW DELHI**

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Judgment delivered on: 24.12.2019

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W.P.(C) 13868/2019

DEEPAK AGNIHOTRI

..... Petitioner

versus

NEW DELHI MUNICIPAL COUNCIL Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Ghanshyam Sharma, Advocate.

For the Respondent: Mr. Yoginder Handoo with Ms. Rhea Verma, Mr. Vishal and Mr. Vardhan Gupta, Advocates.

CORAM:-

HON'BLE MR JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

CM APPL.55659/2019 (exemption)

Exemption is allowed subject to all just exceptions.

W.P.(C) 13868/2019

1. Petitioner seeks a direction to the respondent to conduct an e-auction in terms of public notice dated 05.08.2019.
2. Learned counsel for the petitioner submits that e-auction notice dated 05.08.2019 was issued seeking to auction certain shops at Palika Bhawan, R.K. Puram apart from other properties and petitioner had submitted his bid along with the earnest money deposit for participating in the e-auction and thereafter, the e-auction was deferred and no information

has been received as to the holding of the e-auction. He submits that the respondent has not displayed on the website that the e-auction has been cancelled.

3. Learned counsel appearing for the NDMC submits that the decision has been taken by the NDMC not to auction the said shops at Palika Bhawan, R.K. Puram at this stage. She further submits that she has instructions that the earnest money deposited by the petitioner shall be refunded to the petitioner.

4. Accordingly, the petition is disposed of with a direction to the respondent to publish on their website the fate of the e-auction notice dated 05.08.2019. In case respondent has decided not to auction the shops, the same shall be duly displayed on their website and further, if the e-auction is cancelled, the respondent shall refund the earnest money deposited by the petitioner, in accordance with the Rules.

5. It is clarified that this would be without prejudice to the rights of the petitioner to participate in any other auction in future if he satisfies the requisite preconditions.

6. Petition is disposed of in the above terms.

7. Order *Dasti* under signatures of the Court Master.

SANJEEV SACHDEVA, J

DECEMBER 24, 2019/st