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HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2057 of 2020**

1. Hemendra Sahasi, S/o Mr. Dhal Singh Sahasi, Aged About 45 Years, R/o H. No. 388, Shivanagar Behind Old BTI Kanker Post Kanker Tahsil Kanker And Distt. Uttar Baster Kanker, Chhattisgarh

---- Petitioner**Versus**

1. Chhattisgarh Housing Board Through Its Commissioner, Headquarter Paryavas Bhawan, Naya Raipur Atal Nagar Distt. Raipur, Chhattisgarh
2. Chief Estate Officer, Chhattisgarh Housing Board, Headquarter Paryavas Bhawan, Naya Raipur Atal Nagar Distt. Raipur, Chhattisgarh
3. Deputy Commissioner, Chhattisgarh Housing Board Durg Circle, Durg Chhattisgarh
4. Estate Officer, Chhattisgarh Housing Board, Zone Kondagaon Distt. Kondagaon

----- Respondents

For Petitioner	:	Mr. Parag Kotecha, Advocate
For Respondents	:	Mr. Sanjay Patel, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****28.10.2020**

1. The challenge in the present writ petition is to the inaction on the part of the respondents in cancelling the offer that the petitioner has made for purchase of the House No. LIG-76 at the Deendayal Avas Yojna, Thelkabod, District Kanker.

2. According to the counsel for the petitioner, once when an advertisement has been issued with a specific offset price and the petitioner participated in the said bid by quoting much more than the offset price and he being declared to be the highest bidder, the respondent authorities should not have cancelled the offer given by the petitioner.
3. At this juncture, learned counsel for the respondents submits that he has instruction to submit that the said property in the advertisement was inadvertently reflected as "900 Sq. Ft." whereas the actual area of the property was 1400 Sq. Ft. Thus, the offset price of the property got fixed much less and when this was detected by the Board, they have cancelled the offer made by the petitioner. The counsel appearing for the Housing Board further submits that the Board is also in the process of issuing a fresh advertisement for the said property wherein the petitioner would still have the chance of participating in the bid. According to the learned counsel for the Board, the offset price of the said property if taken into consideration the area of the property is much more than the offered price made by the petitioner which also has compelled the respondents to cancel the offer so made by the petitioner.
4. Given the said submission by the counsel for the respondents, this Court does not find any strong case made out calling for an interference with the impugned action. It is always the prerogative of the respondents for deciding the price at which the property has to be sold, further if at any point of time the respondents find that the offset price quoted is considerably low and the property would be fetching

much more price, they have all the liberty to cancel the bidding process and go in for a fresh bid wherein the petitioner and similarly placed persons would also have the liberty to participate.

5. Moreover no indefeasible right have been created in favour of the petitioner only on the issuance of the Advertisement or the petitioner having participated in the bidding.
6. Given the said facts and circumstances of the case, the writ petition does not have any merit and the same stands rejected.

Sd/-
P. Sam Koshy
Judge