

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

**CWP-15628-2021 (O&M)
Date of Decision: 22.11.2021**

Sanchika

... Petitioner

Versus

Haryana Shehri Vikas Pradhikaran & others

... Respondents

**CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.
HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.**

Present:- Mr. Vaneet Soni, Advocate for the petitioner.

Mr. Lokesh Sinhal, Advocate for the respondents.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

Matter has been taken up through Video Conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition had come up for hearing on 18.08.2021 and while issuing notice of motion, the following order was passed:

“This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

As per pleadings on record, petitioner had participated in an E-auction process and submitted bids for two residential plots i.e. Plot Nos. 522 and 524 admeasuring one kanal each situated at Urban Estate, Sector 24, District Panipat. Petitioner claims that she was the highest bidder pertaining to Plot No. 522.

Insofar as Plot No. 524 is concerned, petitioner was not H-1.

Instant writ petition has been filed seeking a mandamus

directing the respondent-authorities to accept the balance payment pertaining to Plot No. 522 and thereafter to issue a formal allotment letter. Further grievance raised in the petition is that the EMD amount of Rs.4,17,600/- that the petitioner had deposited for submitting bid for Plot No. 524 has been adjusted by the respondent-authorities towards the bid that had been submitted for Plot No. 522, even though there was no terms and condition contained in the E-auction notice permitting such course of action. Accordingly, a prayer has also been made in the instant petition for refund of such amount of EMD pertaining to Plot No. 524.

During the course of hearing today counsel for the petitioner confines the scope of the instant petition only as regards the action of the respondent-authorities in having adjusted the EMD deposit of Plot No. 524 against the bid for Plot No. 522. It is contended that even in a situation where the petitioner had been unable to make further payments pertaining to Plot No. 522 for which she was the highest bidder, the forfeiture can only confine to the amount deposited for Plot No. 522 and the EMD deposited for Plot No. 524 has to be refunded.

Notice of motion on such limited aspect returnable for 13.9.2021.

Mr. Lokesh Sinhal, learned counsel accepts notice on behalf of respondent Nos. 1 to 5 and waives service.

A complete copy of the petition already stands furnished. Mr. Sinhal to complete instructions in the matter by the adjourned date.”

Mr. Lokesh Sinhal, learned counsel representing the respondents/HSVP makes a statement at the bar that the EMD deposit of Rs.4,17,600/- pertaining to plot No.524 has since been refunded to the petitioner.

In the light of such statement, nothing survives for adjudication
in the instant writ petition.

Petition stands disposed of as infructuous.

(TEJINDER SINGH DHINDSA)
JUDGE

(VINOD S. BHARDWAJ)
JUDGE

22.11.2021
harjeet

- | | |
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| i) Whether speaking/reasoned? | Yes/No |
| ii) Whether reportable? | Yes/No |