

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

**CWP-4240-2022(O&M)
Date of Decision:04.03.2022**

Chakarvarti Garg and another

..... Petitioners

versus

Haryana Shehri Vikas Pradhikaran and others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA
HON'BLE MR. JUSTICE LALIT BATRA**

Present: Mr. S.K.Garg Narwana, Senior Advocate with
Mr.Japjit Singh Johal, Advocate and
Mr.Vishal Garg Narwana, Advocate for the petitioners.

Mr.Pravindra Singh Chauhan, Advocate
for the respondents-HSVP.

TEJINDER SINGH DHINDSA, J. (ORAL)

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

Challenge in the instant writ petition is to memo dated 01.02.2022 (Annexure P-17) whereby the Letter of Intent issued in favour of the petitioners as regards Plot No. 31, Sector 27, Panchkula stands withdrawn by the respondent-Haryana Shehri Vikas Pradhikaran (HSVP).

Since an advance copy of the writ petition had already been served upon the respondents, Mr.Pravindra Singh Chauhan, Advocate has joined proceedings on behalf of the respondents-Pradhikaran.

We have heard counsel for the parties.

In the light of the stand taken by Mr. Chauhan during the course of hearing today, there would be no need for us to examine the validity and legality of impugned memo dated 01.02.2022 (Annexure P-17).

We are taking such a view on account of the following reason:-

It has gone uncontroverted that the petitioners had participated in an e-auction process conducted by the Pradhikaran pursuant to an E-Auction Policy dated 20.05.2021 (Annexure P-1). As per Policy the base price for the plot in question had been indicated as Rs.1,24,68,900/-. The bid submitted by the petitioners was Rs. 2,00,13,900/- . There is also no dispute that the petitioners had initially deposited 10% EMD and thereafter upon issuance of the Letter of Intent made a further deposit of 15% amount.

Mr.Chauhan, learned counsel for the Pradhikaran has clarified that the Letter of Intent had been issued to the petitioners on account of a *bona fide* mistake and the same was withdrawn subsequently on the basis that the bid submitted was below the reserve price.

Be that as it may, a statement has been made that as per clause 29-A of the E-Auction Policy at Annexure P-1, a counter offer would be made to the petitioners by the Pradhikaran within a period of one week from today and thereby giving a chance to them to up their bid to match the reserve price or a price which may be even above the reserve price as may be determined by the competent authority.

Statement is accepted.

In view of the above, no intervention in the matter at this stage

is warranted.

Writ petition is disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

(LALIT BATRA)
JUDGE

04.03.2022
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No