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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 5766 OF 2023

Dr. Laxmi Sandeep Guthe

..... Petitioner

Vs.

The City and Industrial Development
Corporation of Maharashtra Ltd. & Ors.

..... Respondents

Mr.Arun Panickar a/w Mr.Rajeev Sharma i/b M/s.Juris Salvation for
the Petitioner

Mr.Ashutosh Kulkarni for the Respondent CIDCO

**CORAM: S.V.GANGAPURWALA, ACJ &
SANDEEP V. MARNE, J.**

DATED : APRIL 25, 2023

P.C.

1. The Respondents have issued an advertisement for lease of plots. The Petitioner had bid for Plot no.6, Sector 7 at Ghansoli, Navi Mumbai.

2. The learned Counsel for the Petitioner submits that the Petitioner was the highest bidder. The bid of the Petitioner was twice the base price. The Respondents unilaterally without assigning any reasons cancelled the said bid process. The learned counsel submits that the Petitioner being the highest bidder has legitimate expectation that the bid shall be allotted to him.

3. Mr.Kulkarni, the learned counsel for the Respondent CIDCO on instruction submits that the said plot in question was already allotted to Navi Mumbai Municipal Corporation. The possession is already handed over to them. The said plot was wrongly advertised, as such is cancelled.

4. The Petitioner was never allotted the writ land. No right was crystallized in favour of the Petitioner. According to the learned Counsel for the Respondents, EMD is already returned to the Petitioner whereas the learned Counsel for the Petitioner disputes the same.

5. Certainly, if the bidding process has been cancelled, Respondents are duty bound to return the EMD to the Petitioner.

6. As no right was crystallized in favour of the Petitioner so also, the said plot is already allotted to Navi Mumbai Municipal Corporation, possession is also handed over to them, the Petitioner cannot claim vested right, no relief can be granted to the Petitioner .

7. Writ Petition is disposed of. No costs.

(SANDEEP V. MARNE, J)

(ACTING CHIEF JUSTICE)