

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

**CWP-5861-2022(O&M)
Date of decision: 08.12.2023**

Shally Arora

... Petitioner

Versus

State of Haryana and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Himanshu Sharma, Advocate, for the petitioner.
Mr. Pravindra S. Chauhan, Advocate, and
Mr. Dhananjay Mittal, Advocate, for the respondents.

ARUN PALLI, J. (Oral)

On March 23, 2022, a coordinate Bench had passed the following order:

“Inter alia contends that in pursuance of revised e-auction policy (Annexure P-1), petitioner had applied for plot No.1506, Sector 10-A, Gurugram and had deposited Rs.8,54,200/- (Annexure P-3) against the base price of Rs.1,70,63,000/- (Annexure P-2) in the e-auction bid held on 26.02.2022. She had enhanced her offer to Rs.1,70,93,000/- which was duly accepted and she deposited an additional amount of Rs.8,56,100/- (Annexure P-5). It is submitted that now vide a communication dated 14.03.2022 (Annexure P-6), the reserved price has been enhanced to Rs.2,73,12,400/- and a balance amount of Rs.10,21,940/- was asked to be deposited within 48 hours. Resultantly, she objected vide a communication (Annexure P-7) against the arbitrary action as such.

Notice of motion.

Mr. Pandit accepts notice on behalf of respondent No.1.

To come up for service of respondent No.2, on 17.05.2022.

In the meanwhile, status quo shall be maintained qua plot in question, which shall not be allotted to any other bidder, till further orders.”

Having argued the matter at some length, learned counsel for the petitioner submits that in compliance to the impugned communication dated March 14, 2022 (P-6), the petitioner is ready and willing to match the bid above the reserve price, as proposed by the respondent-authorities.

That being so, learned counsel for the respondent-authorities submits that let this petition be disposed of, at this stage, to enable the competent authority (Chief Administrator) to re-examine the matter, and pass appropriate orders in accordance with law. Further, he submits that since the interim order passed by this Court on March 23, 2022, is in operation to date, the same shall continue to operate till any fresh orders are passed by the competent authority.

Learned counsel for the petitioner is in agreement with the course suggested by learned counsel for the respondents. However, he submits that the competent authority be directed to take a decision within a specified time.

To which, learned counsel for the respondents submits that the necessary orders, after affording an opportunity of hearing to the petitioner, shall be passed within a period of 8 weeks from today.

In the wake of the position, as sketched out above, and in terms of the statements made by learned counsel for the parties, the petition is disposed of.

This Court is sanguine that the competent authority shall, in the given circumstances, examine the matter in the right earnest, and pass the necessary orders.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(Arun Palli)
Judge

(Vikram Aggarwal)
Judge

08.12.2023
Rajan

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO