

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-13654-2023 (O&M)
DATE OF DECISION: 08.08.2023

HARMATI MALIK AND OTHERS
.....PETITIONERS

Vs.
STATE OF HARYANA AND OTHERS
.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA
HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Rajesh Bansal, Advocate,
for the petitioner.

Mr. Deepak Bhardwaj, D.A.G., Haryana.

Mr. Deepak Sabherwal, Advocate, for the respondent-HSVP.

G.S.SANDHAWALIA, J. (ORAL)

1. The present writ petition has been filed under Article 226/227 of the Constitution of India for confirming the auction of plot Nos. 1602, 1603 and 1608 in Sector 13 Bhiwani, in favour of the petitioners.
2. The reserve price was fixed at ₹1,41,12,000/- for all the three plots. The following table now shows the actual position:-

Sr. No.	Plot No.	Reserve Price	Bid Amount	Revised Reserve Price
1	1602/13	₹1,41,12,000/-	₹1,53,87,000	₹1,68,78,000/-
2	1603/13	₹1,41,12,000	₹1,71,27,000/-	₹1,68,78,000/-
3	1608/13	₹1,41,12,000	₹2,00,67,000/-	₹1,68,78,000/-

3. The reason for the cancellation is apparently on account of the fact that the reserve price was wrongly fixed, as noticed above, and

substantial amount of more than ₹30,00,000/- and ₹59,00,000/- is there in fixing of the reserve price, i.e. two of three cases.

5. Keeping in view the fact that there are valid reasons to cancel the bid and to put the property in re-auction, the petitioners would have no vested right just being the highest bidder. The law stands settled in **Haryana Urban Development Authority and others vs. Orchid Infrastructure Developers Pvt. Ltd., AIR 2017 SC 882** which has been followed by us in similar circumstances in **CWP No.13656 of 2023 ‘Mahavir Singh Vs. Haryana Shehari Vikas Pradhikaran and others’** decided on 07.08.2023.

6. Resultantly, on account of public money being involved, we do not see any reason to exercise our extra-ordinary writ jurisdiction. The writ petition stands dismissed, accordingly.

7. Pending miscellaneous application (s), if any, also stand disposed of.

(G.S. SANDHAWALIA)
JUDGE

August 08, 2023
nitin

(HARPREET KAUR JEEWAN)
JUDGE

Whether Speaking	Yes
Whether Reportable	No