

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

(114)

**CWP-15825-2023
Decided on : 27.07.2023**

Priti Sharma

.....Petitioner(s)

Versus

State of Haryana & others

.....Respondent(s)

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

Present: Mr.Bhanu Chaudhary, Advocate for the petitioner (s).

Mr.Pankaj Kundra, Advocate, for
Mr.Deepak Sabherwal, Advocate, for respondent Nos.2 & 3.

G.S. Sandhawalia, J. (Oral)

Challenge in the present writ petition, filed under Articles 226/227 of the Constitution of India, is to the non-acceptance of the bid though being the highest bidder during the auction conducted on 10.03.2023 in respect of plot No.3838 of 4 marlas situated at Urban Estate, 14P-II, Hisar.

2. It is the case of the petitioner that she deposited the 10% amount of the bid in the auction conducted on 10.03.2023 being the highest bidder and the letter of intent should have been issued but it was not done. The amount of Rs.6,15,390/- was refunded against the said bid and the said plot has now been put to auction by enhancing the reserve price from Rs.60,33,900/- to Rs.64,52,900/- without any reason, which is stated to be an arbitrary and illegal action.

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3. We have gone through the detailed terms and conditions for e-auction supplied by the counsel for respondent Nos.2 & 3 dated 20.05.2021. A perusal of the same would go on to show that as per Clause 30, after acceptance of the bid and verification of the documents, the successful bidder was to be issued letter of intent by the Estate Officer concerned. The “successful bidder” has been defined under Clause 8(a) to be the one whose bid has been accepted by the competent authority/respective Committee empowered to take a decision.

4. From a perusal of the facts of the case, it would be manifest that the Committee never accepted the bid of the petitioner and the amount had been refunded and the plot has been put to re-auction at a higher reserve price, as noticed above. The law stands settled on this issue and reference can be made to the judgment passed by the Apex Court in **Haryana Urban Development Authority & others Vs. Orchid Infrastructure Developers P.Ltd., 2017 AIR (SC) 882** wherein it was held that mere participation in the bid does not give a indefeasible vested right to a person.

5. In such circumstances, we are of the considered opinion that in the absence of any letter of intent or formal letter of allotment having been issued, petitioner cannot claim acceptance of his bid amount and seek a writ of mandamus for issuance of letter of intent for the plot in question. Resultantly, the present writ petition is dismissed.

(G.S. SANDHAWALIA)
JUDGE

27.07.2023
Sailesh

(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned :	Yes	
Whether Reportable :		No