

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-23597-2023

Date of decision:21.11.2023

Aman Kalra

....Petitioner

Versus

State of Haryana and others

....Respondents

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

Present: Mr. Parveen Sharma, Advocate, for
Mr. Pankaj Bali, Advocate, for the petitioner.

Mr. Ankur Mittal, Advocate, and
Ms. Kushaldeep Kaur, Advocate,
for the respondent-HSIIDC.

ARUN PALLI, J. (Oral)

The petitioner herein has prayed for the following
substantive relief:-

“Civil Writ Petition under Article 226 of the Constitution of India seeking prayer for issuance of a writ in the nature of certiorari for setting aside the action of respondents for refunding the 5% EMD amount i.e. Rs.41,10,750/- in the account of the petitioner on dated 12.07.2023, which was deposited in lieu of e-auction of plot No.1-B, phase -I Sector-I.E. Barhi, District Sonapat. The said refund has been made without communicating any order of rejection of e-auction dated 06.10.2022, in which the petitioner has been declared successful bidder for plot No.1-B.

Further for issuing a writ in the nature of mandamus to allot the of plot No.1-B, phase -I Sector-I.E. Barhi, District Sonapat in favour of the petitioner on the ground of parity because plot No.490-F, Sector- phase-2 I.E. Barhi has been allotted to one Ms Jyoti Arora vide RLA dated 27.02.2023 @Rs.20,900/- per square meter and in comparison to the same the petitioner has given the bid for plot No.1-B @Rs.20,500/- for the site of constructing textile industry.

Further issuing directions to the respondents not to re-auction the of plot No.1-B, Sector phase-I I.E Barhi District Sonapat during the pendency of the present petition.”

Learned counsel for the respondent-HSIIDC submits that in compliance to the order dated October 17, 2023, though the status report by way of an affidavit of Additional Managing Director-cum-HOD (Estate), HSIIDC is ready, but it shall be expedient if the petition at hand is disposed of, at this stage, to enable the authorities to deal with the concerns/grievances of the petitioner, and pass appropriate orders, in accordance with law, assigning reasons in support thereof. He further submits that if necessary, the petitioner and other stakeholders shall also be afforded an opportunity of hearing, before any such orders are passed.

Learned counsel for the petitioner is agreeable to the course suggested by the learned counsel for the respondents, and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged that the authorities be directed to do the needful within a specified time.

In response, learned counsel for the respondents submits that the appropriate orders, in accordance with law, shall be passed within a period of three weeks from today.

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties

This Court is sanguine that the authorities shall look into the matter in the right earnest. And, appropriate orders, in accordance with law, shall be passed within the time indicated by the learned counsel for the respondents.

Needless to assert that this order shall not constitute an 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

21.11.2023/Ak Sharma

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No