

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-3064-2024(O&M)
Date of decision: 12.02.2024

M/s Bharat Health Tech Private Limited
... Petitioner
Versus
State of Haryana and others
... Respondents

CORAM: HON’BLE MR. JUSTICE ARUN PALLI
HON’BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Abhinav Sood, Advocate, and
Mr. Nitesh Jhaghria, Mr. Anmol Gupta, and
Mr. Ishaan Dogra, Advocates, for the petitioner.
Mr. Ankur Mittal, Additional Advocate General, Haryana, and
Ms. Kushaldeep Kaur, Advocate.

ARUN PALLI, J. (Oral)

Learned counsel for the petitioner submits that a similar matter, i.e. CWP No.27309 of 2023 (M/s Nuvaan Buildtech Pvt. Ltd. v. State of Haryana and others), involving identical issue(s), even qua the same commercial site No.3, Sector 26/A, Gurugram-II, has already been disposed of by this Court, vide order and judgment dated 05.12.2023 (P-13). He submits that while disposing of the said petition, on the statement of learned State counsel, the competent authority was required to pass appropriate orders within a week.

It is urged that prior to the institution of this petition, the petitioner had even moved the respondent authorities vide repeated representations dated 05.10.2023 (P-9 & P-10) and 15.12.2023 (P-11). But to no avail.

Served with the advance copy of the petition, Mr. Ankur Mittal, learned Additional Advocate General, Haryana, on behalf of the respondents, is present in Court.

At the outset, learned State counsel submits that as the respondent-authorities are already in seisin of the representations (*ibid*) that are alleged to have been submitted by the petitioner, it would be expedient if the petition is disposed of, at this stage, to enable the competent authority to

deal with the concerns/grievances of the petitioner. And pass necessary orders, in accordance with law. Further, he submits that before any such orders are passed, the petitioner as also the other stake-holders would be afforded an opportunity of hearing.

Learned counsel for the petitioner is agreeable to the course suggested by learned State counsel. And submits, let this petition be disposed of in terms of his statement. However, he submits that since the auction process has not yet been finalized, the authorities be restrained from issuing any formal letter of allotment.

In response, learned State counsel submits that the necessary orders shall be passed within three weeks from today, and till such orders are passed, the authorities shall not finalize the allotment process.

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

This Court is sanguine that the authorities shall pass appropriate orders within the time indicated by learned State counsel, assigning reasons in support thereof.

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

12.02.2024
Rajan

Whether speaking / reasoned:	YES/NO
Whether Reportable:	YES/NO