

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-6093-2024

Date of decision: 21.03.2024

Om Sweets 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. Amit Jhanji, Senior Advocate, with
Mr. Himanshu Malik, Advocate,
Mr. Deepender Banger, Advocate,
Ms. Eliza Gupta, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

The petitioner has prayed for the following substantive relief:-

“Civil Writ Petition under Articles 226 and 227 of the Constitution of India for issuance of writ in the nature of Certiorari seeking quashing of the impugned email dated 05.04.2023 (Annexure P-4) issued by the Respondent Authorities whereby the Respondent Authorities dismissed the process of allotment of plots in Industrial Estates and refunded the earnest money deposited by the Petitioner herein in furtherance of its application for the said plot.

AND

Further issue a writ in the nature of Mandamus directing the Respondent Authorities to conduct the auction of the said plot in pursuance to the brochure issued and the e-Auction process having been initiated by accepting submission of EMD dated 14.10.2022 (Annexure P-3).

AND

Further, during the pendency of the present Petition the Respondents may be refrained from acting upon the Impugned Email Dated 05.04.2023 (Annexure P-4) and the Respondents be directed to stay any change in the status of the Plots under the said category in the Industrial Estate of HSIIDC at IMT, Sohna.”

Learned Senior counsel for the petitioner submits that prior to the institution of this petition, the petitioner had even served the respondent authorities with a representation dated 30.01.2024 (P-5). However, even though a considerable time has elapsed, the matter has not made any tangible progress.

Served with the advance copy of the petition, Mr. Deepak Sabherwal, Advocate, for the respondent-HSIIDC, is present in Court. At the outset, he submits that as the competent authority is already in seisin of the concerns/grievances of the petitioner, it would rather be expedient if this petition is disposed of, at this stage, to enable the respondent authorities to consider and pass necessary orders on its representation (*ibid*), in accordance with law. Further, he submits that before any such orders are passed, the authorized representative(s) of the petitioner shall be heard. And a formal communication, in this regard, shall also be issued to it.

Learned Senior counsel for the petitioner is in agreement with the course suggested by learned counsel for the respondent-HSIIDC, 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 respondent-HSIIDC submits that appropriate orders shall be passed within a period of four 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 the appropriate orders shall be passed within the time indicated by the learned counsel for the respondent-HSIIDC.

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

21.03.2024
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Whether speaking/reasoned	Yes
Whether reportable	Yes/No