

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-6142-2024

Date of decision: 19.03.2024

Shivansh Thakur

....Petitioner

Versus

State of Haryana and others

....Respondents

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

Present: Mr. Gagandeep Singh Virk, Advocate,
for the petitioner.

ARUN PALLI, J. (Oral)

In essence, the petitioner is aggrieved by an Auto Extension of auction by 70 minutes (10 minutes' extension granted seven times).

Learned counsel for the petitioner submits that auction for licencing out Oasis Fast Food at Pinjore was to be conducted between 11:00 AM to 4:00 PM on 09.02.2024. The auctioning process, however, concluded at 5:10 PM, resulting in a difference of 33 lakhs between the last bid submitted before 4:00 PM vis-à-vis the last bid that is being currently considered. Thus, Shiv Devi Shukla (respondent No.4) has since been considered to be the successful bidder. He submits that the limited grievance of the petitioner is that he was unable to bid at the last moment, as he did not know at what time, the auction would actually end. Therefore, the petitioner prays that the e-auction held on 09.02.2024 (*ibid*) be quashed.

Served with the advance copy of the petition, Mr. Ankur Mittal, learned Additional Advocate General, Haryana, along with Ms. Kushaldeep Kaur, Advocate, is present in Court. He submits that the concerns/grievances, as sought to be raised in the petition, are wholly misconceived. For 10 minutes' extension, as in the present case was accorded seven times, is a mechanized process (Auto Extension), which remains operative till the bidding process is in progress. He submits that

concededly, the petitioner too had submitted the bid for Rs.43,68,500/- at 4:35 PM only, whereas, the highest bid submitted by respondent No.4 at 5:01 PM, was for Rs.68,68,500/-. Be that as it may, he submits that let the petition be disposed of, at this stage, to enable the competent authority to examine the concerns/grievances of the petitioner, and pass necessary orders, in accordance with law. He submits that if necessary, the petitioner shall be heard, before any such orders are passed. And, a formal communication in this regard would also be issued.

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

In response, learned State counsel 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 State counsel for the respondent.

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

19.03.2024
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Whether speaking/reasoned	Yes
Whether reportable	Yes/No