

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-24839-2019

Date of decision: 24.01.2024

Hemant Kumar

....Petitioner

Versus

Haryana State Industrial and Infrastructure Development Corporation
Ltd. and another

....Respondents

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

Present: Mr. Rakesh Nehra, Senior Advocate, with
Mr. Ankit Yadav, Advocate,
for the petitioner.

Mr. Baldev Raj Mahajan, Senior Advocate, with
Mr. Ankur Mittal, Advocate,
Ms. Kushaldeep Kaur, Advocate,
for the respondents.

ARUN PALLI, J. (Oral)

On January 19, 2024, we had passed the following order:-

"In reference to the order dated 09.09.2019, passed by a coordinate Bench of this Court, learned Senior counsel for the petitioner submits that while issuing notice to the respondents, the authorities were restrained from transferring the allotted site/plot, and the said order is operative to date. He submits that petitioner is ready and willing to pay even the current price of the site/plot along with all other pending dues, penalties etc. if the allotment is restored in his favour. Particularly when he has already deposited a substantial part of the sale consideration (Rs.1,07,00,000/-).

Learned counsel for the respondents prays for a short accommodation to seek instructions in this regard and respond.

Adjourned to 24.01.2024.

To be taken up immediately after the urgents."

In response, learned Senior counsel for the respondent-HSIIDC submits that concept of current market price, for the purpose of allotment, is no longer in vogue. He submits that as per the current policy, allotment is carried out only by way of e-auction and the best price fetched in an auction is actually the reserve price for the next auction. Thus, it would not be possible to accept the prayer of the petitioner. However, it is urged that other than the forfeited amount (10%), the amount that petitioner has deposited on his own volition could be refunded.

Faced with this, learned Senior counsel for the petitioner submits, for he has specific instructions not to pursue the matter, he be permitted to withdraw the petition to enable the petitioner to move the respondent authorities as regards his concerns/grievances.

Dismissed as withdrawn.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

24.01.2024
Ak Sharma

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