

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.24118 of 2024 (O&M)
Date of Decision :21.10.2024

Deepika Jain

.....Petitioner

Versus

Haryana Shehri Vikas Pradhikaran and others

..... Respondents

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

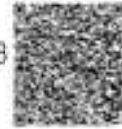
Present : Mr. S.P.Arora, Advocate for the petitioner.

Mr. Ankur Mittal, Advocate with
Ms. Kushaldeep Kaur, Advocate and
Ms. Saanvi Singla, Advocate for the respondents.

ARUN PALLI, J. (Oral):

On 03.10.2024, this Court had passed the following order:-

“Learned counsel for the petitioner contends, inter alia, that petitioner (Smt. Deepika Jain), participated in the E-auction conducted on 30.11.2022, by the respondent authorities, for allotment of residential/commercial/institutional sites/plots. For, the petitioner had submitted a bid of Rs.4,59,23,300/- against the reserve price of Rs.2,89,43,300/- as regards commercial plot/site No.29 (three storied with basement), Sector-65, Gurugram-II, measuring 121 square meters, she was adjudged H1. It is not in dispute either that, per the terms and conditions of the auction, she had deposited an amount of Rs.45,92,330/-, as earnest money. However, he asserts that vide impugned order dated 15.07.2024 (P-13), claim of the petitioner, for issuance of a regular letter of allotment, has since been rejected on the ground: the highest bid of the petitioner (Rs.4,59,23,300/-) was lower than the average auction price, i.e. Rs.4,60,85,875/-, and therefore, she was not entitled to the allotment of subject site. It is urged that in terms of clause 31 of



the Policy dated 20.07.2022 (P-1), the decision as regards acceptance and rejection of the bids was to be taken within 30 days from date of e-auction. Whereas, in the matter at hand, claim of the petitioner was rejected, post expiry of the stipulated period.

Notice of motion.

Mr. Ankur Mittal, Advocate, along with Ms. Kushaldeep Kaur, Advocate, present in Court, accepts notice on behalf of the respondent-HSVP. At the outset, he submits that apparently, the reasons that formed basis of the impugned order do not seem to be germane to the matter in issue. However, he prays for a short accommodation to seek instructions and/or submit response.

May do so, two days prior to the adjourned date, with an advance copy to the counsel for the petitioner.

Adjourned to 21.10.2024.

To be taken up immediately after the urgents.”

Learned counsel for the respondents, on instructions, submits that the order dated 15.07.2024, vide which, the claim of the petitioner for issuance of a regular letter of allotment was rejected, be deemed to have been withdrawn. For, the Competent Authority i.e. Chief Administrator of HSVP, has already communicated to the petitioner to appear before it on 24.10.2024 and the matter in issue would be re-examined. Whereafter, a fresh order, in accordance with law, assigning reasons in support thereof, would be passed, within two weeks.

That being so, learned counsel for the petitioner submits that let the petition be disposed of in terms of the statement made by learned counsel for the respondents.



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

This Court is sanguine that the competent authority would consider the claim of the petitioner in the right earnest. And the appropriate orders shall be passed within the time indicated by learned counsel for 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 authority shall examine the grievance of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

21.10.2024
Manoj Bhutani

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