



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

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**CWP-24472-2025 (O&M).
Date of Decision: 11.09.2025.**

Kusum Lata

....Petitioner.

VERSUS

State of Haryana and others

....Respondents.

**CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Aman Arora, Advocate for
Mr. Mukesh Yadav, Advocate
for the petitioner.

Mr. Ankur Mittal, Advocate and
Ms. Ashna Singh, Advocate
for respondent-HSAMB.

ANUPINDER SINGH GREWAL, J. (Oral)

The petitioner is seeking a direction to the respondents to hand over possession of Booth No.180 as she was the highest bidder.

2. Learned counsel for the petitioner submits that the petitioner was the highest bidder in the auction conducted on 08.11.2024 qua Booth No.180 but she has neither been issued the allotment letter nor handed over the possession of the booth.

3. Learned counsel for the respondent-HSAMB, however, submits that the auction was never conducted on 08.11.2024 but the portal was open and the petitioner was the only bidder which was reflected on the portal.

There were other booths also, which were put to auction but the bidding process was never completed in regards any booth in the New Vegetable Market, Kanina. The Earnest Money Amount deposited by the petitioner had been refunded to her on 11.08.2025.

4. Heard.

5. The respondents had issued the e-auction notice (Annexure P-1) for conducting the auction of booths in the New Vegetable Market, Kanina, on 29.10.2024. The petitioner had deposited a sum of Rs.1 lakh as earnest money on 28.10.2024. It is the stand of the respondents that the auction was not conducted as there was a technical glitch, although the name of the petitioner was reflected as the highest bidder for Booth No.180. The respondents have categorically stated in their reply (Annexure P-5) to the legal notice that the auction for none of the four booths was conducted on 29.10.2024. Even if the petitioner was the highest bidder but admittedly as there was only one bid for Booth No.180 and as per the policy of the respondents, a single bid cannot be accepted. Thereafter, the respondents had conducted auction for the booths in the Grain Market on 25.05.2025, wherein the petitioner did not participate. The earnest money has been refunded to the petitioner only on 11.08.2025. We find that the delay in refunding the earnest money is attributable solely to the respondents and therefore, they are liable to pay interest thereon.

6. In the afore-noted facts and circumstances, we do not find any illegality in the action of the respondents in not issuing the allotment letter to the petitioner. However, as the auction was not conducted on 29.10.2024, the respondents ought to have refunded the earnest money to the petitioner

immediately thereafter but they had retained this amount for almost 9-10 months. Therefore, they are liable to pay interest on the earnest money deposited by the petitioner. We deem it appropriate to direct the respondents to pay interest at the rate of 8% per annum on the earnest money deposited by the petitioner from the date of deposit till its refund.

7. The petition stands disposed of accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

11.09.2025

jitender

Whether speaking/ reasoned : Yes/ No

Whether Reportable : Yes/ No