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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 13177/2025, CM APPL. 54014/2025 & CM APPL. 54015/2025**

ANIL KUMAR

.....Petitioner

Through: **Mr. Sanjeev Kumar Sharma, Mr. Rajiv Dalal and Mr. Aditya, Advocates.**

versus

GOVT. OF NCT OF DELHI AND ANR

.....Respondents

Through: **Mr. Sumit K. Batra, Advocate for GNCTD.**

Mr. Manish Vashishtha, Advocate for R-2.

Mr. Waseem Ahmad, Legal Assistant for DSIIDC.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

% **29.08.2025**

1. Heard the learned counsel for the parties.
2. By instituting this petition, a prayer has been made to quash the recommendations made by a Committee on 30.04.2025 whereby the bid submitted by the petitioner in respect of Plot No. 1306, Block-H, Sector-H, Narela Industrial Area, New Delhi has been rejected. The petitioner is said to have participated in an auction process initiated by the respondent/corporation for allotment of freehold industrial plots.
3. The e-auction document contains various provisions and Clause 17 of the said document provides that in the event of any question, dispute or difference, the parties shall make an endeavour to first settle the dispute by mutual conciliation at the level of Managing Director of the Corporation and it is only in case the dispute is not settled that they may approach the Court. Clause 17 of the e-auction document is extracted hereinbelow:



“17 Disputes: In the event of any question, dispute or difference arising under this e-auction document, or in connection therewith the Parties shall endeavour to first settle it by mutual conciliation at the level of the Managing Director, DSIIDC. In case, the dispute is not settled, only the Courts within the territory of Delhi shall have the jurisdiction to adjudicate such dispute.”

4. It has been stated by learned counsel for the petitioner that pursuant to the impugned decision, the EMD amount was remitted to the account of the petitioner only on 19.06.2025 and immediately thereafter on 09.07.2025 a representation to the Managing Director was made in terms of Clause 17 of the e-auction document, however the petitioner has not been communicated any decision thereon.
5. In view of the aforesaid, since a mechanism is already provided in the e-auction document in the form of Clause 17 and the petitioner has already invoked the same, we dispose of this writ petition with a direction to the Managing Director to consider the representation dated 09.07.2025, which has been annexed herewith as Annexure P-6 (Colly) to the writ petition and initiate the process of conciliation and conclude the same as expeditiously as possible, say within a period of four weeks from today.
6. We further provide that in case the remedy invoked by the petitioner under Clause 17 of the e-auction document results in failure, it will be open to the petitioner to challenge the same by taking recourse to the legal remedy which may be available to him under law.
7. We also make it clear that we have not made any observations as to the merits of the claims of the respective parties.
8. The writ petition stands disposed of in the aforesaid terms.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

AUGUST 29, 2025

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