



**129 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

CWP No.8520 of 2025 (O&M)  
Date of Decision: 30.07.2025

ASHISH GUPTA

.....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

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

Present: Mr. Chakitan V.S. Papta, Advocate,  
for the petitioner.

\* \* \* \* \*

**ANUPINDER SINGH GREWAL, J. (Oral)**

The petitioner has challenged the order dated 26.11.2024 (Annexure P-19) passed by respondent No.2, whereby the claim of the petitioner for allotment of an industrial plot has been rejected on the ground of delay. The petitioner has also challenged the order dated 05.06.2024 (Annexure P-17), whereby the directions were issued by respondent No.2 to consider the case of the petitioner by the subsequent/fresh Board of Directors.

2. Learned counsel for the petitioner submits that the petitioner had applied for allotment of an industrial plot in pursuance to E-auction notice issued by respondent No.2 in the year 2022. The petitioner had deposited 5% of the amount as earnest money and could not deposit the remaining amount. The Board of Directors had extended time for making



the deposit, vide its order dated 17.05.2022. A portal had to be set up in terms of the decision of the Board of Directors but the portal was not functional and, therefore, the petitioner could not deposit the remaining amount during the time extended by the Board of Directors. He further submits that the petitioner could not make the payment on account of fault in the portal and therefore, the action of the respondents in denying allotment of industrial plot is arbitrary and unsustainable.

3. Issue notice to the respondents.

4. Mr. Ankur Mittal, Advocate, Ms. Kushaldeep Kaur, Ms. Ashna Singh, Ms. Saanvi Singla, and Ms. Sharvi Dadhwal, Advocates, accept notice on behalf of the respondent-HSIIDC and submit that the petitioner was to deposit the entire amount within a period of 72 hours but he did not do so, therefore, he would not be entitled to allotment of industrial plot. The Board of Directors, vide its order dated 17.05.2022, had taken a decision for extension of time in making the deposit but the said decision was not implemented. Thereafter, the Board of Directors in its meeting held on 26.11.2024 had cancelled its earlier decision regarding extension of time for making the deposit.

5. Heard.

6. The petitioner had applied for the allotment of an industrial plot. He had deposited 5% of the amount as earnest money. In the terms and conditions set out in the auction notice, the successful bidder has to deposit the remaining amount within a period of 72 hours. The relevant extract of the terms and conditions of the auction notice is reproduced hereunder:



*“9. Auction shall proceed Round by Round as follows:*

*xxx xxx*

*h. The successful bidders have to complete 10% payment (after adjusting the EMD amount deposited at the time of registration) at H-1 bid price within 72 hours of intimation by the HSIIDC after getting approval of the competent authority for acceptance of H-1 bids, failing which 5% EMD deposited at the time of registration shall stand forfeited. No extension of time for deposit of H-1 payment shall be given. It shall be responsibility of the bidder to regularly check status of acceptance of his bid and demand of balance payment for completing 10% of H-1 bid price on the e-auction notice.”*

7. Admittedly, the petitioner did not make the deposit of the remaining amount within a period of 72 hours as per the terms and conditions of the auction notice. As to how and under what circumstances the Board of Directors decided to extend the period is not known to us. Learned counsel for the respondent-HSIIDC has not been able to explain as to whether the Board of Directors is empowered to extend the period for deposit of the money, *de hors* the terms and conditions of the auction notice. Be that as it may, the decision of the Board of Directors for extending the time to deposit money could not be implemented and the Board of Directors thereafter had taken a decision to withdraw its earlier decision on the ground that the prices of the plots have increased and the public exchequer would suffer a loss in the event of the petitioner being allowed to deposit the remaining amount at the price the plot was auctioned in the year 2022.

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8. In view of the afore-noted facts and circumstances, we do not find any merit in this petition, which stands dismissed.

**(ANUPINDER SINGH GREWAL)  
JUDGE**

**(DEEPAK MANCHANDA)  
JUDGE**

**30.07.2025**  
*sandeep*

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No