

2025:PHHC:082649-DB



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

CWP-62-2024 (O&M)

Date of decision: 07.07.2025

M/s DAKSH PHARMACEUTICALS PVT. LTD.

...Petitioner

Versus

STATE OF HARYANA & ORS.

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA**

Present:- Mr. Raj Kumar Bhatia, Advocate for the petitioner.

Mr. Gaurav Bansal, DAG, Haryana.

Mr. Ankur Mittal, Advocate alongwith
Ms. Saanvi Singla, Advocate and
Ms. Kushaldeep Kaur, Advocate
for the respondents No.2 and 3-HSVP.

SUDHIR SINGH, J.

CM-8945-2025

The present application has been filed by the applicant-petitioner seeking stay of the auction.

At the joint request of the counsel for the parties, the main case which is listed for hearing for 04.08.2025 is preponed today itself and is taken on Board for final disposal.

CWP-62-2024

The petitioner has sought issuance of a writ in the nature of Certiorari quashing the impugned order dated 26.12.2023 (Annexure P-9) passed by respondent No.3, whereby the highest bid

made by the petitioner in respect of Plot No.78, Sector 10, Phase-2, Barwala was rejected.

2. Learned counsel appearing for the petitioner has vehemently argued that in the e-auction proceedings initiated on 10.10.2023, the petitioner company had given the highest bid i.e., Rs.23,400/- per square meter for plot No.78, Sector 10, Phase 2, Barwala. Pursuant thereto the petitioner company had received an email on the same very day at 11.40 A.M. regarding the confirmation of booking of the plot but when the petitioner company was in process of arranging the necessary funds, it received an email on 10.11.2023 at 03.28 PM, conveying the petitioner that its bid in respect of the aforesaid plot was not accepted and that the EMD shall be refunded shortly. Learned counsel for the petitioner further contends that the action of the respondent was challenged by the way of CWP-26133-2023, which was disposed of by a Co-ordinate Bench of this Court on 21.11.2023, after recording the statement of the learned counsel for the respondent that the competent authorities shall deal with the concerns/grievances of the petitioner and pass appropriate orders in accordance with law.

3. However, it is argued that vide the impugned order dated 26.12.2023, it has wrongly been observed by the respondent No.3 that the petitioner's bid was rightly rejected as per the norms.

4. Learned counsel for the respondent-authorities, who is present in the Court on service of the advance notice contends that as per the criteria, the HSIIDC reserved its right to accept any bid subject to approval of the competent authority or reject any bid or withdraw

the site from auction at any stage without assigning any reason. It is further argued that the petitioner has got no legal right to compel the respondent-authorities to accept his bid. Particularly when the earnest money deposited has already been refunded to the petitioner.

5. We have heard learned counsel for the parties and have also gone through the paper book.

6. The only question that requires consideration is whether the impugned order passed by the respondent-authorities require any interference by this Court.

7. It may be noticed that earlier the petitioner had filed CWP-26133-2023. The said writ petition was disposed of by Division Bench of this Court after noticing the statement made by the learned counsel for the respondents that the grievances of the petitioner would be looked into and an appropriate order would be passed in that regard. Pursuant thereto the impugned order dated 26.12.2023 had been passed. It is settled law that the highest bidder has got no vested right to have the auction concluded in his favour till the highest bid is accepted, there is no concluded contract between the parties. On the face of the said settled position learned counsel for the petitioner could not point out any vested right accrued in favour of the petitioner. Merely because the bid amount deposited by the petitioner was the highest one, is no ground to compel the respondent-authorities to accept the petitioner's bid. A perusal of the impugned order shows that it has been noticed that vide email dated 10.11.2023 the petitioner was duly informed about the criteria according to which the HSIIDC

reserved its right to accept any bid subject to the approval of competent authority or reject any bid, even the highest bid or withdraw the site from auction at any stage without assigning any reason. In our opinion the impugned order has been passed by respondent No.3 as per the criteria laid down. Learned counsel for the petitioner could not dispute the aforesaid criteria nor he could dispute the settled position in law that unless the bid is accepted by the competent authority, there would be no concluded contract between the parties.

8. No other point has been urged.

9. In view of the above, finding no merit in the present writ petition, the same is hereby dismissed.

10. Pending application(s), if any, shall also stand disposed of.

**[SUDHIR SINGH]
JUDGE**

**[DEEPINDER SINGH NALWA]
JUDGE**

07.07.2025

himanshu

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No