



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 15608/2025

Smt. Kamla Jain W/o Mohan Lal Jain, Aged About 65 Years,
161/1, Swastic Apartment, 4Th Cross, 2Nd Main Road,
Chamrajpet, Bangalore, Karnataka.

-----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Urban Development And Housing Department (Udh), Government Of Rajasthan, Jaipur, Rajasthan.
2. Rajasthan Housing Board, Through Its Commissioner, Awas Bhawan, Janpath, Jyoti Nagar, Jaipur, Rajasthan-302005.
3. Rajasthan Housing Board, Through Its Chairman, Awas Bhawan, Janpath, Jyoti Nagar, Jaipur, Rajasthan-302005
4. Dy. Housing Commissioner, Rajasthan Housing Board, Circle- Udaipur, Rajasthan.

-----Respondents

For Petitioner(s) : Mr. Manish Shishodia, Sr. Advocate,
assisted by Mr. Naman Mohnot
For Respondent(s) : Mr. Mool Singh Panwar.

HON'BLE DR. JUSTICE NUPUR BHATI

Order

17/12/2025

1. The instant writ petition has been filed with the following prayers:

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(a) Issue an appropriate writ, order or direction in the nature of certiorari quashing and setting aside the impugned order dated 09.07.2025 (Annex-06) and 12.07.2025 (Annex-07) & 14.07.2025 (Annex-08) passed by the respondent cancelling the petitioner's bid in respect of Plot No. 01, Commercial Plot, South Extension Scheme, Udaipur, admeasuring 2518 sq. meter, on the ground of "lack of competition";



(b) The respondents maybe directed to accept the petitioner's bid of 75,500/- per sq. meter, the same being above the reserve price, and to proceed with issuance of allotment letter and completion of sale formalities in favour of the petitioner in accordance with the Rajasthan Housing Board's own policy dated 03.09.2020 and;
xxxxxxx"

2. Brief facts of the case are that the petitioner participated in good faith in the respondent-Rajasthan Housing Board's e-auction for a prime commercial plot (Plot No. 01, South Extension Scheme, Udaipur, admeasuring 2518 sq. meters) notified between 28.04.2025 and 30.04.2025, with a minimum bid of Rs.75,000 per sq.meter. Using E-Auction ID No.43378, the petitioner submitted the highest bid of Rs.75,500 per sq.meter, exceeding the reserve price and duly deposited the required 2% Earnest Money Deposit (EMD) of Rs.37,77,000 on 29.04.2025. As the sole highest bidder, the petitioner further complied with the 72-hour deadline by paying an additional 13% (Rs.2,47,39,350) on 02.05.2025, aggregating 15% of the bid value, fully meeting all stipulated conditions. Despite this impeccable compliance, the file was transferred to Jaipur, and no communication followed for weeks. Upon the petitioner's son's RTI query dated 15.07.2025, it emerged that the respondent cancelled the bid solely for being a "single bid" citing "lack of competition" and "non-realization of full potential value" in Chairman's orders dated 09.07.2025 and 12.07.2025 (finalized 14.07.2025, informed vide letter 18.07.2025). This cancellation flouts the respondent's own policy order dated 03.09.2020, which permits e-auction cancellation only for non-deposit of 15%, 35%, or 50% amounts (not applicable here) and nowhere mandates rejection for a single bidder. Notably, a prior auction (advertised 08.03.2025, held 10-12.03.2025) for





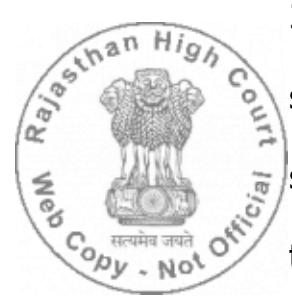
the same plot received zero bids, underscoring the plot's lack of market interest, yet the petitioner's compliant superior bid was discarded without justification. Hence, this writ petition.

3. Learned Senior Counsel for the petitioner, at the outset, submits that the issue involved in the present writ petition is squarely covered by the judgment dated 24.09.2013 passed by the Coordinate Bench of this Court in ***S.B. Civil Writ Petition No.12242/2012 : Smt. Kamal Jeet Kaur v. State of Rajasthan & Ors.*** (with other connected matters); The relevant part of the said judgment is reproduced hereunder:

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15. The upshot of the above discussion is that the writ petitions filed by the petitioners deserve to be allowed and accordingly, the same are allowed. The part of bid money, refunded back to the petitioner(s), will be paid back by the petitioner(s) and remaining part of auction price also, the petitioner(s) will pay within three months from now, and subject to such payments by the petitioner(s), the respondent-Rajasthan Housing Board shall proceed further to finalize the allotment of plots in question in favour of present petitioner(s) and shall execute the necessary lease-deeds or conveyance deeds in favour of present petitioner(s) and the respondent-Rajasthan Housing Board, shall not demand any interest on the said bid amount from the present petitioner(s) on account of delay caused due to this litigation."

4. Learned Senior Counsel further submits that against the order passed by the Coordinate Bench of this Court in the case of *Smt. Kamal Jeet Kaur (supra)*, the respondents preferred DBSAW No.1322/2013 and other connected appeals in which, the Hon'ble Division Bench vide order dated 15.02.2024, dismissed the appeals and the order passed by the Coordinate Bench was upheld against which, SLP No.29811/2024 was filed which also came to be dismissed by the Hon'ble Apex Court vide order dated 21.02.2025.





4. Counsel representing the respondents is not in a position to refute that the issue involved in the present case is squarely covered by the case of *Smt. Kamal Jeet Kaur (supra)*.

5. In view of the submissions made, the instant writ petition is allowed in the same terms as in the case of *Smt. Kamal Jeet Kaur (supra)* with the directions that: the part of bid money, refunded back to the petitioner(s), will be paid back by the petitioner(s) and remaining part of auction price also, the petitioner(s) will pay within three months from now, and subject to such payments by the petitioner(s), the respondent-Rajasthan Housing Board shall proceed further to finalize the allotment of plots in question in favour of present petitioner(s) and shall execute the necessary lease-deeds or conveyance deeds in favour of present petitioner(s) and the respondent-Rajasthan Housing Board, shall not demand any interest on the said bid amount from the present petitioner(s) on account of delay caused due to this litigation.

6. No order as to costs.

7. A copy of this order be sent to the concerned parties forthwith.

(DR.NUPUR BHATI),J

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