

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

S.B. Civil Writ Petition No. 1105/2026

Gaurav Arora S/o Sh. Kherati Lal, Aged About 34 Years, R/o 9/92, Ward No. 08, Rajasthan Housing Board Colony Hanumangarh, District Hanumangarh - 335512.

-----Petitioner

Versus

1. Rajasthan Housing Board, Through Its Secretary, Office At Awas Bhawan, Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur - 302005.
2. The Housing Commissioner, Rajasthan Housing Board, Office At Awas Bhawan, Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur - 302005.
3. Deputy Housing Commissioner, Rajasthan Housing Board, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh Junction - 335512.
4. Additional Housing Officer, Rajasthan Housing Board, Circle Bikaner, Division Hanumangarh, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh Junction - 335512.

-----Respondents

Connected With

S.B. Civil Writ Petition No. 1164/2026

Mamta Chachan W/o Sh. Anjani Kumar Chachan, Aged About 52 Years, R/o 249, 2Nd Floor, General Market, Hanumangarh Town, District Hanumangarh - 335513.

-----Petitioner

Versus

1. Rajasthan Housing Board, Through Its Secretary, Office At Awas Bhawan, Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur - 302005.
2. The Housing Commissioner, Rajasthan Housing Board, Office At Awas Bhawan, Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur - 302005.
3. Deputy Housing Commissioner, Rajasthan Housing Board, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh Junction - 335512.

4. Additional Housing Officer, Rajasthan Housing Board, Circle Bikaner, Division Hanumangarh, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh Junction - 335512.

-----Respondents

S.B. Civil Writ Petition No. 1165/2026

Mamta Chachan W/o Sh. Anjani Kumar Chachan, Aged About 52 Years, R/o 249, 2Nd Floor, General Market, Hanumangarh Town, District Hanumangarh - 335513.

-----Petitioner

Versus

1. Rajasthan Housing Board, Through Its Secretary, Office At Awas Bhawan, Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur - 302005.
2. The Housing Commissioner, Rajasthan Housing Board, Office At Awas Bhawan, Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur - 302005.
3. Deputy Housing Commissioner, Rajasthan Housing Board, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh Junction - 335512.
4. Additional Housing Officer, Rajasthan Housing Board, Circle Bikaner, Division Hanumangarh, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh Junction - 335512.

-----Respondents

S.B. Civil Writ Petition No. 1168/2026

Mamta Chachan W/o Sh. Anjani Kumar Chachan, Aged About 52 Years, R/o 249, 2Nd Floor, General Market, Hanumangarh Town, District Hanumangarh-335513.

-----Petitioner

Versus

1. Rajasthan Housing Board, Through Its Secretary, Office At Awas Bhawan, Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur-302005.
2. The Housing Commissioner, Rajasthan Housing Board, Office At Awas Bhawan, Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur-302005.

3. Deputy Housing Commissioner, Rajasthan Housing Board, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh Junction-335512.
4. Additional Housing Officer, Rajasthan Housing Board, Circle Bikaner, Division Hanumangarh, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh Junction-335512.

----Respondents

S.B. Civil Writ Petition No. 1223/2026

Mamta Chachan W/o Sh. Anjani Kumar Chachan, Aged About 52 Years, R/o 249, 2Nd Floor, General Market, Hanumangarh Town, District Hanumangarh-335513.

----Petitioner

Versus

1. Rajasthan Housing Board, Through Its Secretary, Office At- 'awas Bhawan', Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur- 302005.
2. The Housing Commissioner, Rajasthan Housing Board, Office At- 'awas Bhawan', Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur- 302005.
3. Deputy Housing Commissioner, Rajasthan Housing Board, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh Junction -335512.
4. Additional Housing Officer, Rajasthan Housing Board, Circle Bikaner, Division Hanumangarh, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh Junction - 335512.

----Respondents

S.B. Civil Writ Petition No. 1225/2026

Mamta Chachan W/o Sh. Anjani Kumar Chachan, Aged About 52 Years, R/o 249, 2Nd Floor, General Market, Hanumangarh Town, District Hanumangarh-335513.

----Petitioner

Versus

1. Rajasthan Housing Board, Through Its Secretary, Office At- 'awas Bhawan', Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur- 302005.

2. The Housing Commissioner, Rajasthan Housing Board, Office At- 'awas Bhawan', Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur- 302005.
3. Deputy Housing Commissioner, Rajasthan Housing Board, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh Junction -335512.
4. Additional Housing Officer, Rajasthan Housing Board, Circle Bikaner, Division Hanumangarh, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh Junction - 335512.

-----Respondents

S.B. Civil Writ Petition No. 1227/2026

Mamta Chachan W/o Sh. Anjani Kumar Chachan, Aged About 52 Years, R/o 249, 2Nd Floor, General Market, Hanumangarh Town, District Hanumangarh-335513.

-----Petitioner

Versus

1. Rajasthan Housing Board, Through Its Secretary, Office At- 'awas Bhawan', Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur- 302005.
2. The Housing Commissioner, Rajasthan Housing Board, Office At- 'awas Bhawan', Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur- 302005.
3. Deputy Housing Commissioner, Rajasthan Housing Board, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh Junction -335512.
4. Additional Housing Officer, Rajasthan Housing Board, Circle Bikaner, Division Hanumangarh, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh Junction - 335512.

-----Respondents

S.B. Civil Writ Petition No. 1345/2026

Rai Singh S/o Sh. Krishan Lal, Aged About 35 Years, R/o Chak 9 N W D Rampura Matoria, Ward 2, Rawatsar, District Hanumangarh, 335524.

-----Petitioner

Versus

1. Rajasthan Housing Board, Through Its Secretary, Office At Awas Bhawan, Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur. 302005.
2. The Housing Commissioner, Rajasthan Housing Board, Office At Awas Bhawan, Jan Path, Jyoti Nagar, Jaipur. 302005.
3. Deputy Housing Commissioner, Rajasthan Housing Board, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh Junction 335512.
4. Additional Housing Officer, Rajasthan Housing Board, Circle Bikaner, Division Hanumangarh, office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh Junction 335512.

-----Respondents

S.B. Civil Writ Petition No. 4487/2026

Sunita W/o Naval Kishor, Aged About 37 Years, Resident Of 1A-214, New Rhb Colony, Hanumangarh Jn., Rajasthan.

-----Petitioner

Versus

1. The State Of Rajasthan, Through The Secretary To The Government, Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur. 302005.
2. The Housing Commissioner, Rajasthan Housing Board, Jan Path, Jyoti Nagar, Jaipur.
3. Deputy Housing Commissioner, Rajasthan Housing Board, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh J. 335512
4. Additional Housing Officer, Rajasthan Housing Board, Office Of Rajasthan Housing Board, Old Rhb Colony, Hanumangarh J. 335512

-----Respondents

For Petitioner(s)	:	Mr. K.R. Saharan Mr. Dishant Verma
For Respondent(s)	:	Mr. Amit Tatia

HON'BLE MR. JUSTICE KULDEEP MATHUR

28/04/2026

1. The instant bunch of writ petitions involves common questions of fact and law; hence, the same have been heard together and are being decided by this common order.

2. Succinctly stated, the facts of the case are that the respondents issued an e-auction notice for allotment of various types of plots under a scheme named New R.H.B. Colony, Near DTO, Hanumangarh. The petitioners participated in the respective e-auctions held from 26.05.2025 to 28.05.2025 and were declared the highest bidders for their respective plots, namely B-38, A-15, A-27, A-26, A-02, A-03, A-07, B-30, and B/K-06(c). Pursuant to the auction process, the petitioners deposited the requisite amount, including 15% of the bid amount, within the stipulated time, which was duly accepted by the respondents. The auction proceedings thus stood concluded insofar as the petitioners are concerned.

3. However, despite completion of all formalities and acceptance of the deposited amount, the respondents failed to issue allotment letters to the petitioners, and subsequently, the bids of the petitioners came to be rejected vide impugned orders, primarily on the ground that the bid amounts were not competitive in comparison to earlier auctions and neighbouring plots. Aggrieved thereby, the present writ petitions have been filed.

4. Learned counsel for the petitioners submitted that once the petitioners were declared the highest bidders and the requisite 15% amount was accepted by the respondents, the petitioners

acquired a legitimate right to be treated as successful bidders, and the respondents were under an obligation to complete the allotment process.

5. It was contended that the ground of “non-competitive rates” is wholly arbitrary and not traceable to any condition of the auction. It was further submitted that there is no allegation of fraud, collusion, or irregularity in the auction process and that the impugned action has been taken without affording any opportunity of hearing to the petitioners.

6. It has further been submitted that the action of the respondents is in violation of the earlier order passed by this Court in S.B. Civil Writ Petition No. 17891/2025, directing completion of the auction proceedings. Reliance has been placed upon a judgment of this Court, wherein it has been held that once a valid bid is received and there is no illegality in the auction process, the same cannot be rejected merely on the ground that a higher price was expected.

7. In support of his arguments, learned counsel for the petitioners placed reliance on the following judgments:-

- ***Golden Food Products of India v. State of Uttar Pradesh & Ors.*** passed by the hon’ble supreme court in SLP (Civil) Nos.18095-18096/2024.
- ***Umesh Kumar Vyas V. State of Rajasthan*** passed by the Hon’ble Rajasthan High Court in S.B. Civil Writ Petition No.6122/2025.

8. *Per contra*, learned counsel for the respondents, while opposing the writ petitions, submitted that the petitioners cannot be treated as successful bidders merely on account of having been declared the highest bidders. It was contended that, as per the

terms and conditions governing the auction as well as the applicable rules, the respondents reserve the right to accept or reject any bid prior to issuance of the allotment letter, and no vested right accrues in favour of a bidder until the allotment is finalized.

9. It was submitted that the petitioners have misconstrued the mechanism relating to deposit of 15% of the auction value. As per the e-auction terms, a bidder is required to deposit 2% prior to bidding and the remaining 13% within 72 hours of closure of the auction, which together constitutes 15% of the bid amount. It was contended that such deposit is merely a procedural requirement and does not confer the status of a successful bidder, as the bid remains subject to scrutiny and final approval by the competent authority, which retains the discretion to accept or reject the same.

10. Learned counsel further submitted that the bids offered by the petitioners were not competitive and were substantially lower in comparison to the rates fetched in earlier auctions as well as for similarly situated plots in the vicinity. It was submitted that the respondents, being custodians of public property, are under an obligation to ensure that such property is not disposed of at rates lower than the prevailing market value and, therefore, the decision to reject the bids was taken in public interest. On these grounds, the respondents pray for dismissal of the present writ petitions.

11. Having heard learned counsel for the parties and having perused the material available on record, this Court *prima facie*

finds that the petitioners were declared the highest bidders in a duly conducted e-auction process, and there is no allegation of any irregularity, illegality, fraud, or collusion in the conduct of the auction proceedings. It is also not in dispute that the petitioners deposited the requisite amount, including 15% of the bid amount, within the stipulated time, and the same was duly accepted by the respondents. In such circumstances, the rights of the petitioners had progressed beyond a mere offer and had attained a degree of finality, which could not have been unsettled except for valid and legally sustainable reasons.

12. It is pertinent to note that the rejection of the allotment in question has been premised on the ground that the rates offered by the petitioners were “not competitive”, i.e., lower in comparison to previous auctions and neighbouring plots. This Court finds that such a ground is inherently vague and not referable to any specific condition of the auction process. In the considered opinion of this Court, a mere expectation of securing a higher price cannot constitute a valid basis for cancellation of a concluded auction, particularly when the bid submitted is above the prescribed minimum bid value and no irregularity, illegality, or procedural infirmity has been alleged.

13. This Court, in the case of ***“Umesh Kumar Vyas v. State of Rajasthan” (supra)***, has held as under:-

“20. It is pertinent to note that the purpose of fixing a reserve price is to ensure that public property is not sold at an unreasonably low price and to safeguard the financial interest of the auctioning authority. In the present case, although the bid submitted by the petitioner was not accepted on the ground that it was allegedly much lower than the

prevailing market price of the plot, the respondents themselves retained the same reserve price for the plot in question while issuing the fresh e-auction notice dated 17/18.02.2025."

14. The Hon'ble Supreme Court in "**Golden Food Products of India**" (*supra*) has held as under:-

"32. An auction process has a sanctity attached to it and only for valid reasons that the highest bid can be discarded in an auction which is otherwise held in accordance with law. If a valid bid has been made which is above the reserve price, there should be a rationale or reason for not accepting it. Therefore, the decision to discard the highest bid must have a nexus to the rationale or the reason. Merely because the authority conducting the auction expected a higher bid than what the highest bidder had bid cannot be a reason to discard the highest bid. In the instant case, no other party had placed a bid higher than the appellant herein. There was no infirmity in the conduct of the auction."

15. In view of the aforesaid discussion and the precedent law, the present writ petitions deserve to be allowed.

16. Accordingly, these writ petitions are allowed. The respondents are directed to issue allotment orders in favour of the petitioners for the respective plots, namely B-38, A-15, A-27, A-26, A-02, A-03, A-07, B-30, and B/K-06(c), under the scheme named New R.H.B. Colony, Near DTO, Hanumangarh, and to take all consequential steps for concluding the auction process in accordance with law.

17. Stay application(s) also stand disposed of.

(KULDEEP MATHUR),J