

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	29.08.2023		<p>WPMS No. 847 of 2023 <u>Hon'ble Vipin Sanghi, C.J.</u> <u>Hon'ble Rakesh Thapliyal, J.</u></p> <p>1. Mr. Dushyant Mainali, learned counsel for the petitioner.</p> <p>2. Mr. K.N. Joshi, learned Deputy Advocate General for the State of Uttarakhand/ respondent nos. 1 and 2.</p> <p>3. Mr. D.S. Patni, learned Senior Counsel assisted by Mr. Ajay Singh Bisht, learned counsel for respondent no. 3.</p> <p>4. In terms of our order dated 24.03.2023, the petitioner furnished the bank guarantee for an amount of Rs. 57,61,606/-. Upon furnishing of the same, the petitioner's bid was considered. However, the petitioner has not emerged as the successful bidder.</p> <p>5. The dispute between the parties, with regard to the amount claimed by the respondents as the loss suffered by them on account of the petitioner, still remains to be resolved.</p> <p>6. Mr. D.S. Patni states that the issue is now pending consideration before the Director, Urban Development.</p> <p>7. Let the Director, Urban Development consider the said issue, and pass a reasoned and speaking order on the same, after hearing the parties. The case of the petitioner, including in the rejoinder affidavit, shall also be considered by the Director, Urban Development. In case the Director, Urban Development finds that the petitioner is liable for payment of any amount towards</p>

			<p>the loss claimed by the respondents, the petitioner shall either make good the said amount, or the bank guarantee of the petitioner, to such extent, may be encashed. However, if the Director, finds in favour of the petitioner, the Bank Guarantee furnished by the petitioner shall be released. In either case, the rights of the parties to seek judicial remedy shall remain preserved.</p> <p>8. The Writ Petition stands disposed of in the aforesaid terms.</p> <p>9. Consequently, pending application(s), if any, also stand disposed of accordingly.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;"> <p>(Rakesh Thapliyal, J.) 29.08.2023</p> <p>Rahul</p> </div> <div style="text-align: center;"> <p>(Vipin Sanghi, C.J.) 29.08.2023</p> </div> </div>
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