



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 14TH DAY OF MAY, 2026

BEFORE

THE HON'BLE MR. JUSTICE ASHOK S. KINAGI

WRIT PETITION NO. 201906 OF 2026 (GM-TEN)

BETWEEN

SRI. RAMESH PAWAR
S/O BALYA NAIK PAWAR,
AGED ABOUT 46 YEARS,
OCC: CLASS-I CONTRACTOR,
R/O: SY.NO.586/3 PLOT NO.7,
OPP: R.V. COLLEGE H.NO.4/110/2,
GREEN CITY, PRAKASH NAGAR YADGIRI - 585 201.
NOW AT H.NO.4/110/2 NEAR SEVALAL BHAVAN
BADDEPALLI TANDA, BADDEPALLI,
TQ: AND DIST: YADGIRI - 585 221.

...PETITIONER

(BY SRI. RAVI B. PATIL, ADVOCATE)

AND

- 1 . THE STATE OF KARNATAKA,
REPRESENTED BY ITS
PRINCIPAL SECRETARY,
DEPARTMENT OF MINOR IRRIGATION,
M.S.BUILDING, BENGALURU - 560 001.
- 2 . THE CHIEF ENGINEER,
DEPARTMENT OF MINOR IRRIGATION
AND UNDERGROUND WATER DEVELOPMENT
CORPORATION SOUTH ZONE,
VIJAYAPURA - 586 101.
- 3 . THE CHIEF ENGINEER,
COMMUNICATION AND BUILDINGS
(NORTH EAST ZONE) PWD BHAVAN,
OLD JEWARGI ROAD KALABURAGI - 585 102.





- 4 . THE SUPERINTENDING ENGINEER,
M.I. AND G.W.D. KALABURAGI - 585 102.
- 5 . THE EXECUTIVE ENGINEER,
MINOR IRRIGATION AND
GROUND WATER DEVELOPMENT DIVISION,
KALABURAGI - 585 102.
- 6 . THE ASSISTANT EXECUTIVE ENGINEER,
MI AND GWD SUB DIVISION,
YADGIRI - 585 201.
- 7 . THE PRESIDENT,
DEPARTMENT COMMITTEE,
MINOR IRRIGATION NORTH ZONE AND
CHIEF ENGINEER, M.I. AND GWD,
NORTH ZONE, VIJAYAPURA - 586 101.

...RESPONDENTS

(BY SRI. MALLIKARJUN SAHUKAR, AGA)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT OF CERTIORARI TO QUASH THE IMPUGNED PROCEEDINGS VIDE BEARING NO.ಸಂ:ಮುಇಂ/ಸನೀ ಮತ್ತು ಅಂ.ಅ.ಇ/(ಉ)ವ/ಬಿಐಜಿ/ತಾಂ.ಸ-4/ಸ.ಇಂ-04/2026-27/1905 DATED 02-04-2026 AS AT ANNEXURE-O PASSED BY THE 7TH RESPONDENT COMMITTEE WITHOUT PROVIDING AMPLE OPPORTUNITY TO THE PETITIONER OF ITS PARTICIPATION IN THE PROCEEDINGS, THEREBY RECOMMENDING FOR BLACKLISTING THE PETITIONER FOR A PERIOD OF TWO YEARS FROM PARTICIPATION IN THE TENDER FLOATED BY THE RESPONDENT DEPARTMENT AS ILLEGAL, ARBITRARY IN NATURE AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ASHOK S. KINAGI



ORAL ORDER

Petitioner filed this petition seeking following reliefs:

- A) *Issue a writ of certiorari to quash the impugned proceedings vide bearing No.ಸಂ:ಮುಇಂ/ಸನೀ ಮತ್ತು ಅಂ.ಅ.ಇ/(ಉ)ವ//ಬಿಐಜಿ/ತಾಂ.ಸ-4/ಸ.ಇಂ--04/2026-27/1905 DATED 02-04-2026 as at Annexure-O passed by the 7th respondent Committee without providing ample opportunity to the petitioner of its participation in the proceedings, thereby recommending for blacklisting the petitioner for a period of two years from participation in the tender floated by the respondent Department as illegal, arbitrary in nature.*
- B) *Issue a writ of certiorari to quash the entire enquiry proceedings initiated pursuant to the notice issued at Annexure-H, H.1 & H.2 and Annexure-L & M as contrary to the requirement under Clause 24 of the Tender Document (invitation to bidders) and the agreement entered into by the petitioner as at Annexure-E, culminating in the form of impugned order as illegal, arbitrary and without jurisdiction, in the interest of justice.*
- C) *Issue any writ, order or direction as this Hon'ble Court may deem fit in the fact and circumstance of the case and in the interest of justice.*

2. The brief facts leading rise to filing of this writ petition are as follows:

- a) Respondent No.5 floated tender by way of e-procurement through its official website on 01.10.2024 in



respect of implementation of works relating to improvements to new tank near Wadagera village in Wadagera Taluk, Yadgir District.

b) The petitioner was the successful bidder and letter of acceptance was issued by respondent No.5 on 17.08.2024. Petitioner entered into an agreement with respondent No.5 for implementation of work. Accordingly, the petitioner had successfully completed the work at the cost of Rs.82,59,453/-.

c) The Deputy Commissioner after securing third party inspection report approved the completion work. The petitioner made a complaint against one Basavaraj Rathod for having furnished Fixed Deposit drawn in the name of State Bank of India for participation in various tenders before Karnataka Lokayukta as against officials of the respondent-Department. The Under Secretary to the Finance Department issued an endorsement regarding



additional security for non-completion of tenders for the bidders/contractors belonging to the SC/ST.

d) Respondent No.7-Committee scheduled a meeting on 21.02.2026 and issued a notice calling upon the petitioner to appear before respondent No.7-Committee. The petitioner appeared through the counsel before respondent No.7-Committee. Respondent No.7-Committee without providing sufficient opportunity to the petitioner to put forth his case, passed the impugned order. The impugned order passed by respondent No.7 is in violation of principles of natural justice. Hence, on these grounds, prays to allow the writ petition.

3. Heard the arguments of learned counsel for the petitioner and learned Additional Government Advocate for the respondents.

4. Learned counsel for the petitioner submits that though notices were issued by respondentNo.7, the petitioner appeared through the counsel and sought time



to file objections. Despite making request, respondent No.7 did not provide sufficient opportunity to the petitioner to put forth his case. He submits that the impugned order is in violation of principles of natural justice and he also submits that though the notice was issued on 23.03.2026 vide Annexure-L calling upon the petitioner to appear before respondent No.7 on 02.04.2026, on the said date. Respondent No.7 has passed the impugned order on the same day. He also submits that respondent No.7 has not assigned any proper reasons while passing an impugned order. On these grounds, prays to allow the writ petition.

5. *Per contra*, learned Additional Government Advocate supported the impugned order and he submits that two show cause notices were issued to the petitioner. Despite issuing show cause notices to the petitioner, the petitioner has not replied to the show cause notices. Respondent No.7 has rightly passed the impugned order. Hence, on these grounds, prays to dismiss the writ petition.



6. Perused the records and considering the submissions of the learned counsels for the parties, it is undisputed fact that the tender notification floated by respondent No.5 by way of e-procurement through its official website on 01.10.2024. The petitioner participated in the tender process and he was the successful bidder and letter of acceptance was issued in favour of the petitioner and an agreement came to be executed between the petitioner and respondent No.5. The Deputy Commissioner approved the completion report.

7. It is contended that the petitioner made a complaint against one of the officer of the respondent-Department before the Karnataka Lokayukta. The respondent in order to take revenge against the petitioner, constituted a Committee i.e. respondent No.7. Respondent No.7 issued notices dated 07.02.2026, 21.02.2026 and 23.03.2026 calling upon the petitioner to appear before respondent No.7. The last notice issued to the petitioner vide Annexure-L dated 23.03.2026 calling upon the



petitioner to appear on 02.04.2026 and to submit explanation.

8. The petitioner appeared through his counsel before respondent No.7 on 02.04.2026. Counsel appearing for the petitioner sought time. Respondent No.7 without providing time to the petitioner, has passed the impugned order on the same day i.e. on 02.04.2026. Respondent No.7 has not provided sufficient opportunity of personal hearing to the petitioner passed the impugned order vide Annexure-O. Thus, the impugned order passed by respondent No.7 is in violation of principles of natural justice. The impugned order passed by respondent No.7 is without application of mind. Hence, on these grounds, the impugned order is liable to be quashed.

9. In view of the above discussion, I proceed to pass the following:

ORDER

- i) The writ petition is ***allowed***.



- ii) The impugned order dated 02.04.2026 vide Annexure-O passed by respondent No.7-Committee is hereby quashed.
- iii) Liberty is reserved to the petitioner to submit reply to the show cause notices within a period of 15 days from today.
- iv) Respondent No.7 is directed to provide an opportunity of personal hearing to the petitioner and pass appropriate orders in accordance with law within a period of two months from the date of receipt of reply to be submitted by the petitioner.
- v) All the contentions of the petitioner are kept open.

**Sd/-
(ASHOK S. KINAGI)
JUDGE**