



CNR: KAHC010219272022

NC: 2026:KHC:36121
WP No. 10332 of 2022

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 14TH DAY OF JULY, 2026
BEFORE**

**THE HON'BLE MR. JUSTICE M.G.S. KAMAL
WRIT PETITION NO. 10332 OF 2022 (GM-RES)**

BETWEEN:

M/S. MONUMENTS ADVERTISERS PVT. LTD.,
A PRIVATE LIMITED COMPANY INTO
A BUSINESS IN ADVERTISEMENTS
HAVING ITS OFFICE AT
NO.407, 8TH 'B' MAIN
4TH BLOCK, JAYANAGAR
BENGALURU - 560 011
REPRESENTED BY ITS MANAGING DIRECTOR
SRI. S. NARESH KUMAR
AGED ABOUT 47 YEARS
REGISTERED UNDER THE
COMPANIES ACT 1956.

...PETITIONER

(BY SRI. V.B. SHIVA KUMAR, ADVOCATE)

AND:

1. STATE OF KARNATAKA
VIDANA SOUDHA
VIDHANA VEEDHI
BENGALURU -560 001,
REP. BY ITS SECRETARY,
DEPARTMENT OF INDUSTRIES AND COMMERCE.
2. THE MANAGING DIRECTOR
M/S KARNATAKA UDYOGA MITRA
DEPARTMENT OF INDUSTRIES AND COMMERCE

Digitally signed
by
SHARADAVANI
B

Location: High
Court of
Karnataka



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NO.49, 3RD FLOOR,
KHANIJA BHAVAN
RACE COURSE ROAD
BENGALURU - 560 001.

3. THE MANAGING DIRECTOR
M/S. MARKETING CONSULTANTS
AND AGENCIES LTD.,
MC AND A HOUSE, 42, MILLERS ROAD
BENGALURU - 560 052.

...RESPONDENTS

(BY SRI. SRINIVAS KUMAR, HCGP FOR R1;
SRI. KIRAN V. RON, ADVOCATE FOR R2;
SRI. H. MOHAN KUMAR, ADVOCATE FOR R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF
THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE
RESPONDENT AUTHORITIES TO PAY ADMITTED PAYMENT
ADMITTED IN THE WORK DONE DIRECTING THE
RESPONDENTS TO DISCHARGE THE BILL AMOUNT AT
RS.26,69,110/- (RUPEES TWENTY SIX LAKHS SIXTY NINE
THOUSAND ONE HUNDRED TEN) AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

Petitioner is before this Court seeking a direction to the
respondents to pay a sum of Rs.26,69,110/- towards the work
purportedly executed at the instructions of respondent No.3.



2. Case of the petitioner is that an agreement was entered into between petitioner and respondent No.3 in terms of which petitioner had agreed to render outdoor advertisement services. In furtherance thereof, petitioner claimed to have rendered such outdoor advertisement services of GOK Chalet & Exhibition Stall Fabrication at Aero India 2013.

3. Petitioner had apparently raised invoice in a sum of Rs.26,69,110/- towards Execution of Chalet, Execution of Stall and Additional requirements for Chalet and Stall. This was followed by a letter dated 02.01.2014. Non consideration of which resulted in petitioner approaching this Court earlier by filing writ petition in W.P.No.47887/2018. This Court by order dated 24.04.2019 disposed of the said writ petition with a direction to respondent No.3 to consider the claim of the petitioner and to decide the same by a speaking order within period of two months.

4. It is the case of the petitioner that despite such a direction, neither any order was passed nor the amount was paid except a communication being forwarded by respondent



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No.3 to respondent No.2 as per Annexure-J on 22.06.2021 seeking release of amount in a sum of Rs.26,69,110/-. Inaction on the part of respondent No.3, thereafter, constrained the petitioner to approach this Court once again by way of present writ petition.

5. Respondent No.2 has filed statement of objections refuting the claim of the petitioner as well as the respondent No.3. It is contended that all the invoices with the supporting documents were required to be submitted by respondent No.3 and only if they meet the required standard and the provisions of law namely Karnataka Transparency in Public Procurements Act, the amount should be released. It is further contended that all the invoices which were presented by respondent No.3 meeting the requirement of law were cleared. Except the present invoice as the same was neither supported by any work order nor was in compliance with the provisions of law.

6. Respondent No.3 in its statement of objections has taken a stand that it is the responsibility of the petitioner who is the service provider to collect the payment in the name of



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respondent No.3 from the concerned department to whom the petitioner rendered the service and the respondent No.3 is not responsible for the same. A reference in this regard is made to clause 2(u) of the agreement at Annexure –R2.

7. Learned counsel for the petitioner reiterating the facts and grounds urged submits that petitioner had rendered the service solely upon the instructions and the assurance given by respondent No.3 who alone is responsible for the payment of the dues of the petitioner. Learned counsel for petitioner submits if respondent No.3 had no obligation in making the payment there was no need for respondent No.3 to have issued the communication as per Annexure-J which is dated 22.06.2021.

8. In turn learned counsel for respondent No.3 submits that respondent No.3 is only a facilitator having no obligation to pay either to the petitioner or to collect the money from respondent No.2.

9. Learned counsel for respondent No.2 on the other hand contended that it has cleared all the invoices and the



present invoice cannot be cleared as it is not supported by documents. Learned counsel for respondent No.2 further submits in any event, the claim in this case is pertaining to the year 2013, which is hopelessly time barred. As such seeks dismissal of the petition.

10. Heard perused the records.

11. There is no dispute of the fact that petitioner had earlier approached this Court by filing W.P.No.47887/2018 which was disposed of directing respondent No.3 to consider the claim of the petitioner. That it is not that petitioner is not pursuing the matter.

12. As rightly pointed out by learned counsel for petitioner if respondent No.3 had no obligation in making the payment, there was no need for respondent No.3 to have issued the communication as per Annexure-J which is dated 22.06.2021.

13. Perusal of which indicate that respondent No.3 had requested respondent No.2 to release a sum of Rs.26,69,110/-



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towards Bill Nos.43040, 43041, 43040A dated 14.02.2013. A reference in the letter refers to the name of the petitioner.

14. It is a different thing that respondent No.2 is declining to consider the said request on the purported ground of respondent No.3 not furnishing the details of work order and supporting documents regarding execution of work. In that view of the matter, the stand taken by respondent No.3, declining its responsibility cannot be countenanced.

15. At this juncture, learned counsel for respondent No.3 submits that given some time respondent No.3 would furnish fresh set of documents in support of the invoice raised by the petitioner strictly in accordance with the law for the consideration of the respondent No.2.

16. In that light of the matter petition is ***disposed of*** with the following directions:

- (i) Respondent No.3 shall furnish all records pertaining to and justifying the invoice, reference of which is found at Annexure-J dated 22.06.2021 within 30 days from the



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date of receipt of certified copy of this order to respondent No.2.

- (ii) Respondent No.2 shall thereafter consider the same and if the records are found to be in order and according to law, pass appropriate orders within 60 days thereafter and if petitioner found to be eligible, release the amount without any further delay thereafter.
- (iii) It is made clear, that if required, petitioner and respondent No.3 shall be heard in person by respondent No.2 before passing any such order.

**Sd/-
(M.G.S. KAMAL)
JUDGE**

BVK
List No.: 1 Sl No.: 5