



CNR: KAHC010432512026

NC: 2026:KHC:44898-DB
WP No. 19450 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 20TH DAY OF AUGUST, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT PETITION NO. 19450 OF 2026 (GM-RES-PIL)

BETWEEN:

1. K.N. SHARATH BABU
S/O D.K. NAGARAJU
AGED ABOUT 46 YEARS
NO.141, "SRI SAI RESIDENCY"
6TH FLOOR, SUN CITYLAYOUT
J P NAGAR, 7TH PHASE
BENGALURU - 560 078

...PETITIONER

(BY SRI ARUN ASHOK GADAG, ADVOCATE [VC])

AND:

1. THE COMMISSIONER
BENGALURU DEVELOPMENT AUTHORITY
BENGALURU
2. THE EXECUTIVE ENGINEER
BDA NADAPRABHU KEMPEGOWDA
LAYOUT DIVISION
NO.101/3 AND 101/2
BDA COMPLEX
JNANABHARATHI LAYOUT
B.M. LAYOUT, KENGERI
BENGALURU - 560 060



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3. THE ENGINEER MEMBER
BDA NADAPRABHU
KEMPEGOWDA LAYOUT DIVISION
NO.101/3 & 101/2 BDA COMPLEX
JANABHARATHI LAYOUT
BM LAYOUT, KENGERI
BENGALURU - 560 060

...RESPONDENTS

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENTS TO FORTHWITH KEEP IN ABEYANCE ALL FURTHER PROCEEDINGS PURSUANT TO THE SAID TENDER NOTIFICATION DATED 07/01/2025 MARKED AS ANNEXURE-A, INCLUDING FINALISATION IN AWARD OF CONTRACTS AND NOT TO APPROVE OR RELEASE FUNDS TILL THE INTERNAL INVESTIGATION AS PER ANNEXURE-J (ENDORSEMENT DATED 28/11/2025) IS COMPLETED & ETC.

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

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL ORDER

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The petitioner has filed the present petition as a Public

Interest Litigation [**PIL**], *inter alia*, praying as under:

"a) **Issue a writ of Mandamus** directing the Respondents to forthwith keep in abeyance all further proceedings pursuant to the said Tender Notification



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dated 07.01.2025 marked as **Annexure-A**, including finalisation in award of contracts and not to approve or release funds till the internal investigation as per Annexure-J (Endorsement dated 28.11.2025) is completed;

b) **Subsequent to final report submitted by the internal committee appointed under** Endorsement dated 28.11.2025, the Hon'ble Court may based on the report submitted may consider to Issue a writ of **Certiorari or any other appropriate writ, order or direction** quashing the Tender Notification No. BDA/EE-NKPL/Work-TN-905/2025-26 dated 07.01.2025 issued by Respondent No. 1, in so far as it is arbitrary, illegal and violative of Article 14 of the Constitution of India;

c) **Issue appropriate directions to ensure that no public funds are disbursed pursuant to the impugned tender notification** until transparency and statutory compliance are judicially examined;

d) Grant such other order or direction as this Hon'ble Court deems fit in the facts and circumstances of the case, in the interest of justice and equity."

2. The learned counsel for the petitioner submits that the petitioner had submitted a complaint dated 24.06.2005 to the Commissioner, Bangalore Development Authority [**BDA**], alleging certain irregularities by the officials of the BDA in the execution of the development works relating to roads and drains in the Bangalore South Division during the year 2022-2023. It is submitted that the officials of BDA had subsequently invited tenders for formation of drains in Nadaprabhu Kempegowda



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Layout in the year 2023-2024. The estimated cost of the said works was stated to be ₹524.56 crores. However, according to the petitioner, the actual extent of work executed would not commensurate with the work claimed to be completed. He alleges that the quantity of soil and debris allegedly excavated and removed, for which payments have been made, could not possibly be accommodated in or transported the number of vehicles stated to have been deployed for the purpose.

3. He also alleges that the contract has been awarded to persons who were not eligible to execute the said works.

4. On the aforesaid basis, the petitioner submits that the concerned officials of the BDA were delinquent and are liable to be proceeded against for the alleged irregularities in the execution of the works and disbursement of public funds. It is on this premise that the petitioner prays that the tender proceedings which is now floated by the officials should be kept in abeyance.

5. We find no ground to accede to the prayers made in the present petition. Although the petitioner has made allegations



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against certain officials, there is no material before us to conclude that any of the said officials are found to be delinquent on the alleged irregularities. In the absence of any such finding, we find no justification to keep the tender proceedings in abeyance.

6. The petitioner further states that an enquiry is stated to be in progress, however concededly none of the concerned officials have been found guilty or have been subjected to any disciplinary action in respect of the allegations made by the petitioner.

7. Insofar as the complaint made by the petitioner is concerned, we direct that the concerned authority, to examine the same, if not already examined. The petition is disposed of with the aforesaid observation.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(K.S. HEMALEKHA)
JUDGE**

SD
List No.: 2 Sl No.: 2