



CNR: KAHC010490682026

NC: 2026:KHC:38387
WP No. 22138 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF JULY, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 22138 OF 2026 (GM-TEN)

BETWEEN:

MR. T SUBRAMANYA SHETTY
S/O NAGAI AH SHETTY,
AGED ABOUT 71 YEARS,
R/AT NO. 81/A RAJESHWARI LAYOUT,
YALACHENAHALLI,
BENGALURU 560 062

...PETITIONER

(BY SRI. VASANTHAPPA.,ADVOCATE)

AND:

1. THE GOVERNMENT OF KARNATAKA
VIDHANA SOUDHA,
REP BY ITS ADDITIONAL CHIEF SECRETARY,
FINANCE DEPARTMENT,
BENGALURU 560001
2. THE BENGALURU MEDICAL COLLEGE AND
RESEARCH INSTITUTE
BENGALURU, FORT ROAD,
BENGALURU 560002
REPRESENTED BY ITS DIRECTOR CUM DEAN.
3. THE MEDICAL SUPERINTENDENT
VANIVILAS HOSPITAL,
BENGALURU 560002

...RESPONDENTS

(BY SRI. MOHAMMED JAFAR SHAH., AGA FOR R1;
V/O/D 20.7.2026,
SRI. MOHAMMED AYUB ALI., ADVOCATE FOR R2 & R3)

Digitally signed
by SHWETHA
RAGHAVENDRA
Location: HIGH
COURT OF
KARNATAKA



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THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT, ORDER OR DIRECTION IN THE NATURE OF CERTIORARI TO QUASH THE IMPUGNED TENDER NOTIFICATIONS, NO.BMCRI/SUP(2)/03/2026-27, DATED.25-06-2026.ANNEXURE-C ISSUED BY THE 2ND RESPONDENT AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. The petitioner is before this Court seeking for the following reliefs;
 - a. *Issue a writ, order or direction in the nature of Certiorari to quash the impuged Tender Notifications, No. BMCRI/SUP(2)/03/2026-27, dated 25.06.2026, Annexure-C issued by the 2nd Respondent.*
 - b. *Grant such other relief or relief's as this Hon'ble court deems fit to grant in the circumstances of the case in the interest of justice, equity and law.*
2. The petitioner was inducted as a caterer by respondent No.2. A tender notice came to be issued on 25.06.2026, pursuant to which the petitioner participated in the tender process. It is the contention of the petitioner that his bid has been rejected without assigning any reasons. It is in that background, that the petitioner is before this Court seeking the aforesaid reliefs.



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3. The submission of Sri.Vasanthappa., learned counsel for the petitioner is that The petitioner had complied` with all the terms and conditions of the tender, and though the documents submitted by him had been received by the respondent, the same were not taken into consideration. He further submits that he was orally informed that his tender had been rejected; however, the details of such rejection had neither been uploaded on the website nor furnished to the petitioner.
4. In the said background, on 27.02.2026, this Court had called upon the counsel appearing for respondents No.2 and 3 to verify and make a submission as to whether any order of rejection had been passed and whether the said rejection order had been uploaded on the website.
5. Today, a memo has been filed by the counsel appearing for respondents No.2 and 3, indicating that the Tender was published on 25.06.2026 at 14:42:18 hours. The bid submitted by the petitioner was rejected on 07.07.2026 at 16:59:34 hours, and the said rejection has been uploaded on the KTCP portal. The rejection order is, therefore, within the knowledge of all concerned, including the petitioner which has been supported by the petitioner.



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6. The name of the petitioner was rejected by the Technical Evaluation Committee in its proceedings held on 07.07.2026 at 04:00 p.m. The rejection was on the ground that the Satisfactory Performance Certificate in respect of the work executed with respondent No.2 had not been uploaded, nor had the requisite declaration regarding termination of contract or default been furnished/uploaded by the petitioner.
7. His submission is that the petitioner, having been inducted as a service provider in the year 2012, continued under the extended term, which came to an end in the year 2019. Thereafter, it is only on account of the interim orders passed in various writ petitions filed by the petitioner that he has continued to remain in occupation of the premises. He submits that the petitioner, fully aware that his bid had been rejected and that the said rejection had been uploaded on the website, has filed the present writ petition by making false averments, thereby rendering the petition vexatious.
8. His submission is that the default notice had been issued on 06.06.2026 which had not been disclosed when the documents had been uploaded.



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9. On that basis, he submitted that there being suppression of facts and documents by the petitioner, this Court ought to dismiss the above petition by imposing exemplary punishment.
10. Heard Sri.Vasanthappa., learned counsel appearing for the petitioner and Sri.Mohammed Ayub Ali., learned counsel appearing for respondent No.2. Perused papers.
11. The submission made by learned counsel for the petitioner was that the bid of the petitioner was still subsisting, despite which the financial bid was not being considered. It is in that background that the respondent was called upon to place on record the status, which has now been placed on record indicating that the technical evaluation committee on 07.07.2206 had rejected the bid of the petitioner which was uploaded onto the website on 07.07.2026 at 16.59.34 hours.
12. Once it is uploaded on the KTCP portal, the petitioner is deemed to be aware of any such uploading which has been made. Despite which, a false claim was made that the bid of the petitioner continues to be pending and has not been considered. The said submissions are negated by the documents which



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have been produced by respondents No.1 and 2 indicating the falsity of the claim of the petitioner.

13. The falsity of the claim made by the petitioner would also have to be considered in the background of the facts of the matter, inasmuch as the petitioner, having been inducted in the year 2012, has continued to remain in possession of the premises even in the year 2026, despite the agreement having expired by efflux of time in the year 2019. It is also relevant to note that, on earlier occasions, the petitioner had filed writ petitions wherein interim orders had been granted, but the said writ petitions were subsequently dismissed.
14. In the present matter, once again, the petitioner has approached this Court by filing the present writ petition. Fortunately, no interim order was granted in favour of the petitioner, and the relevant facts have come to light before any adverse consequences could be caused to respondent No.2-employer.
15. The bid of the petitioner has been rejected at a technical stage on account of suppression of facts, the present petition also has been filed by suppression of facts and this Court is of the considered opinion that exemplary costs would have



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to be imposed on the petitioner. In that view of the matter, this Court passes the following;

ORDER

- i. The writ petition is ***dismissed*** by imposing a cost of Rs.1,00,000/- payable to the Karnataka State Legal Service Authority within a period of 30 days from the date of receipt of a copy of this order.
- ii. If the said payment is not made by 01.08.2026, the Member Secretary of the Karnataka Legal Service Authority shall be entitled to recover the said costs as arrears of land revenue.

**Sd/-
(SURAJ GOVINDARAJ)
JUDGE**

SR
List No.: 1 Sl No.: 68