NC: 2026:KHC:20361
WP No. 7583 of 2026
C/W WP No. 6858 of 2026

HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 15TH DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 7583 OF 2026 (GM-RES)

C/W

WRIT PETITION NO. 6858 OF 2026 (GM-RES)

IN WP No. 7583/2026

BETWEEN:

1. M/S. SRINIVAS CONSTRUCTIONS
INDIA PVT. LTD.,
INCORPORATED UNDER
COMPANIES ACT, 1956,
G09, 9TH FLOOR, JAIN HEIGHTS,
SOLUS BUILDING, 1 CROSS,
J.C ROAD, BANGALORE - 560 027
REPRESENTED BY ITS DIRECTOR,
SRI. SHASHIDHAR YARLAGADDA,
S/O. SRI Y PITCHESWARA RAO
AGED ABOUT 38 YEARS,
(THE COMPANY REGISTRATION ACT, 2013)

2. M/S. SRI SRINIVASA CITY VENTURES PVT. LTD.,
INCORPORATED UNDER COMPANIES ACT, 2013,
E09, 9TH FLOOR, JAIN HEIGHTS,
SOLUS BUILDING, 1ST CROSS, J.C ROAD,
BANGALORE - 560 027
REPRESENTED BY ITS MANAGING DIRECTOR,
SRI. SHASHIDHAR YARLAGADDA,
S/O. SRI. Y PITCHESWARA RAO
AGED ABOUT 38 YEARS,

Digitally signed by NAGARAJA B M
Location: HIGH COURT OF KARNATAKA

(THE COMPANY REGISTRATION ACT, 2013)

…PETITIONERS

(BY SRI. APRAMEYA N KATTI, ADVOCATE)

AND:

1. BANGALORE ELECTRICTY SUPPLY
COMPANY LIMITED, (BESCOM)
THROUGH ITS GENERAL MANAGER,
K.R CIRCLE, BENGALURU - 560 001.

2. STATE OF KARNATAKA,
REPRESENTED BY ITS SECRETARY,
DEPARTMENT OF ENERGY,
VIDHANA SOUDHA,
BENGALURU - 560 001.

3. UNION OF INDIA
MINISTRY OF NEW AND RENEWABLE ENERGY,
REPRESENTED BY ITS SECRETARY,
ATAL AKSHAYA URJA BHAWAN,
CGO COMPLEX, LODHI ROAD,
NEW DELHI - 110003, INDIA.

…RESPONDENTS

(BY SRI. S. SRIRANGA, SR. COUNSEL A/W
SMT. SUMANA NAGANAND, ADVOCATE FOR R1;
SMT. NAVYA SHEKHAR, AGA FOR R2;
SRI. GOWTHAMDEV C. ULLAL, CGC FOR R3)

THIS WP IS FILED UNDER ARTICLES 266 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO-A. DIRECTION DECLARING THAT THE INVOCATION AND ENCASHMENT OF THE PERFORMANCE BANK GUARANTEES DATED 30.06.2025 BY RESPONDENT NO. 1 ARE ARBITRARY, ILLEGAL AND IN ABJECT VIOLATION OF PRINCIPLES OF NATURAL JUSTICE AND ARTICLE 14 OF THE CONSTITUTION OF INDIA (ENCLOSED AS ANNEXURE-N (COLLY)) AND ETC.,

IN WP NO. 6858/2026

BETWEEN:

1. M/S. SREE UGCL PROJECTS LTD.,
NO. 02, 1ST CROSS, J.C ROAD,
SAMPANGIRAMNAGAR,
BANGALORE - 560 027
REPRESENTED BY ITS AUTHORIZED REPRESENTATIVE
SRI. VAMSIDHAR MYNENI,
AGED ABOUT 45 YEARS,
S/O SRI RAVENDRA PRASAD MYNENI
(REGISTAR UNDER COMPANY'S ACT)

2. M/S. AADITYA SOLAR VENTURES
BESCOM PVT. LTD.,
(AN SPV OF SREE UGCL PROJECTS LTD.),
NO. 02, 1ST CROSS, J.C ROAD,
SAMPANGIRAMNAGAR, BANGALORE - 560 027
REPRESENTED BY ITS AUTHORIZED
REPRESENTATIVE SRI. VAMSIDHAR MYNENI,
AGED ABOUT 45 YEARS,
S/O SRI. RAVENDRA PRASAD MYNENI
(REGISTAR UNDER COMPANY'S ACT)

...PETITIONERS

(BY SRI. APRAMEYA N. KATTI, ADVOCATE)

AND:

1. BANGALORE ELECTRICITY
SUPPLY COMPANY LIMITED
(BESCOM), THROUGH ITS GENERAL MANAGER,
K.R. CIRCLE, BENGALURU - 560 001.

2. STATE OF KARNATAKA,
REPRESENTED BY ITS ENERGY DEPARTMENT
REP. BY ADDL. CHIEF SECRETARY,
VIDHANA SOUDHA, BENGALURU - 560 001.

3. UNION OF INDIA
MINISTRY OF NEW AND RENEWABLE ENERGY,
REPRESENTED BY ITS SECRETARY,
ATAL AKSHAYA URJA BHAWAN,
CGO COMPLEX, LODHI ROAD,
NEW DELHI - 110 003, INDIA.

...RESPONDENTS

(BY SRI. S. SRIRANGA, SR. COUNSEL A/W
SMT. SUMANA NAGANAND, ADVOCATE FOR R1;
SMT. NAVYA SHEKHAR, AGA FOR R2;
SRI. NAGARAJA HEGDE, CGC FOR R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A. ISSUE A WRIT OF DECLARATION OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION DECLARING THAT THE INVOCATION AND ENCASHMENT OF THE PERFORMANCE BANK GUARANTEES DATED 30.06.2025 BY RESPONDENT NO. 1 ARE ARBITRARY, ILLEGAL AND IN ABJECT VIOLATION OF PRINCIPLES OF NATURAL JUSTICE AND ARTICLE 14 OF THE CONSTITUTION OF INDIA (ENCLOSED AS ANNEXURE-N (COLLY)) AND ETC.,

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

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

The captioned writ petitions are instituted by the petitioners calling in question the action of the respondents in invoking and encashing the Performance Bank Guarantees furnished pursuant to the contractual arrangement. The petitioners seek a declaration that the very invocation and encashment of the Bank Guarantees is arbitrary, illegal, and violative of the principles of natural justice, particularly on the ground that such invocation was effected without affording any prior notice or opportunity. Consequentially, the petitioners have also sought a direction to the respondents to refund the amounts realized under the encashed Bank Guarantees. The petitioners further assail the communication dated 06.10.2025 issued by respondent No.1, whereby the contract is stated to have been terminated on the premise that the petitioners failed to enter into the formal agreement, culminating in the impugned action as reflected in Annexure-Q.

2. Per contra, learned Senior Counsel appearing on behalf of the respondents/authority, on instructions, submits that in view of the alleged breach attributed to the petitioners, the

funds earmarked and allocated by the Union of India/respondent No.3 have since been withdrawn. It is therefore contended that, in light of subsequent developments, the substratum of the writ petitions no longer survives for consideration and the petitions have been rendered infructuous.

3. At this stage, learned counsel appearing for the petitioners would vehemently contend that the invocation of the Performance Bank Guarantees, admittedly without issuance of prior notice, is per se arbitrary and unsustainable in law, being in clear derogation of settled principles governing invocation of bank guarantees and the doctrine of fairness in administrative action. It is further submitted that the petitioners be reserved with liberty to approach respondent No.1 by way of a comprehensive representation ventilating all their grievances, including but not limited to the legality of invocation and encashment of the Bank Guarantees and the consequential reliefs flowing therefrom.

4. Having regard to the submissions made and without expressing any opinion on the merits of the rival contentions, this Court deems it appropriate to dispose of these writ

petitions by reserving liberty to the petitioners to submit a detailed representation before the competent authority/respondent No.1. In the event such a representation is submitted, the respondents/authorities shall consider and dispose of the same, in accordance with law, within a reasonable timeframe, bearing in mind the grievances now projected by the petitioners.

The writ petition stands ***disposed of*** accordingly.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE

HDK
List No.: 1 Sl No.: 1