

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
[M/S RAJA ELECTRICALS VS. MANGALURU ELECTRICITY
SUPPLY COMPANY LIMITED AND ANOTHER]

25.02.2026
(VIDEO CONFERENCING)

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

Sri M.R.Rajagopal, the learned Senior Counsel, is heard on the petitioner's grievance with the stipulation in tender notification issued by the second respondent, and this impugned condition stipulates that every bidder should have successfully completed at least one of the contracted works in terms of contract concluded with any DISCOM or power utilities or State Electricity Boards or government entities in Karnataka. This condition also reads that the contract value of such contract should not be less than one of the amount put to tender.

Sri M.R.Rajagopal, invoking the *doctrine of level playing field* and the exposition by the Apex Court in ***Vinishma Technologies Private Limited v. State of Chhattisgarh***, reported in **2025 SCC ONline SC 2119**, submits that

[a] the petitioner being given credit to the contracts executed for M/s Paschim-Gujarat VIJ Company Limited, a Public Utility, as defined under the Electricity Act, 2003, will satisfy the qualification, **[b]** the second respondent has refused to so acknowledge resulting in the petitioner's exclusion from the project, and **[c]** the petitioner has submitted his bid notwithstanding the afore and this would not be considered unless there is judicial intervention.

These submissions are considered, and to balance mutual interests when this Court is seized of the petition, the second respondent is called upon to evaluate the bids offered by the petitioner and defer issuing the Work Order based on such evaluation until the next date of hearing.

Smt. Sumana Naganand, a learned Standing Counsel for the respondents, subject to entrustment otherwise, is called upon to accept notice for these respondents. Sri Anand R V, the learned counsel for the petitioner, shall ensure that the copies are served on the chambers of Smt. Sumana Naganand.

The office is directed to relist this petition on
09.03.2026

(B M SHYAM PRASAD)
JUDGE

NV

List No.: 2 Sl No.: 27