



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 8899 OF 2026 (GM-TEN)

BETWEEN:

MH METAL RECYCLING INDUSTRIES
A PARTNERSHIP CONCERN,
HAVING ITS REGISTERED
OFFICE AT PLOT NO. 440,
SY.NO. 23/1, 35 SOMPURA 2ND STAGE
INDUSTRIAL AREA, LAKSHMANAPURA VILLAGE,
THYAMAGONDLU, NELAMANGALA TALUK,
BENGALURU RURAL DISTRICT - 562 111.

REPRESENTED BY ITS AUTHORISED SIGNATORY,
SRI. SHAIK BABAJAN.

...PETITIONER

(BY SRI. RAKESH B BHATT.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY
ITS ADDITIONAL CHIEF SECRETARY,
ENERGY DEPARTMENT, (APPELLATE AUTHORITY)
ROOM NO. 236, 2ND FLOOR,
VIKASA SOUDHA, DR. B.R. AMBEDKAR VEEDHI,
BENGALURU 560 001.
2. THE EXECUTIVE ENGINEER (MSP)
KARNATAKA POWER CORPORATION LIMITED (KPCL),
KALI HYDROELECTRIC PROJECT, AMBIKANAGAR,
HALIYAL TALUK, UTTARA KANNADA DISTRICT,
KARNATAKA - 581 363.

REPRESENTED BY ITS DIRECTOR.





3. INDIA BESTWAY RECYCLING
A PROPRIETORSHIP CONCERN
NO. 33 AND 155, KUMBALAGOODU VILLAGE,
KENGARI HOBLI, BENGALURU - 560074.

REPRESENTED BY ITS MANAGER

4. E-FRIENDLY WASTE RECYCLERS
PROPRIETORSHIP CONCERN
NO. 17, 1ST CROSS,
AZEEZ SAIT INDUSTRIAL TOWN,
NAYANDANAHALLI, BENGALURU 560 039.

REPRESENTED BY ITS MANAGER

5. NIHAL ENTERPRISES
DHARWAD-SAUNDATTI ROAD,
OPPOSITE INDIAN PETROL PUMP,
DHARWAD, KARNATAKA - 580 006.

REPRESENTED BY ITS MANAGER

6. INAYAT ENTERPRISES
SURVEY NO. 152, PLOT NO. 15,
BESIDE MALTESH ROAD LINES,
OPPOSITE KEMPKERI, KARWAR ROAD,
HUBLI, DHARWAD - 580 024.

REPRESENTED BY ITS MANAGER

...RESPONDENTS

(BY SRI. NAVYA SHEKHAR ,AGA FOR R1)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO DIRECT THE 1ST RESPONDENT TO CONSIDER AND DISPOSE OF THE APPEAL AND THE ACCOMPANYING STAY APPLICATION FILED BY THE PETITIONER (PRODUCED AT ANNEXURE-C AND C1, IN AN EXPEDITIOUS MANNER, PREFERABLY WITHIN A TIME FRAME TO BE STIPULATED BY THIS HONBLE COURT.



THIS PETITION, 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 petition is filed seeking mandamus against first respondent to consider and dispose of the appeal including the stay application filed by petitioner.

2. Upon careful perusal of the entire material placed on record, this Court is of the considered view that the grievance of the petitioner essentially emanates from the rejection of its bid/application submitted pursuant to the tender notification floated by the respondent-authorities. In matters arising out of tender processes, particularly where rejection of a bid is assailed, the statutory appellate authority is expected to act with promptitude and circumspection. Any undue delay in adjudicating the appeal would have the effect of frustrating the very purpose of the appellate remedy, inasmuch as the subject tender process would progress further, thereby rendering the appeal itself infructuous. It



is also not in dispute that the petitioner has sought interim relief in the pending appeal. In such circumstances, the appellate authority is under an obligation to consider and decide the application for interim relief at the earliest, one way or the other, instead of keeping the same pending, which would virtually result in denial of effective remedy to the petitioner.

3. At this juncture, the learned Additional Government Advocate appearing for the respondents submits, on instructions, that the petitioner's appeal along with the interlocutory application seeking interim stay will be considered and disposed of expeditiously by the competent authority, strictly in accordance with law. The said submission is placed on record.

4. In view of the aforesaid facts and circumstances, and without expressing any opinion on the merits of the case, this Court deems it appropriate to dispose of the writ petition with the following directions:



ORDER

- (i) The writ petition stands disposed of.
- (ii) The first respondent–appellate authority is directed to take up and consider the petitioner’s application for interim relief forthwith and pass appropriate orders thereon within a period of one (1) week from the date of receipt of a certified copy of this order.
- (iii) The first respondent shall thereafter proceed to hear and dispose of the main appeal on merits, in accordance with law, as expeditiously as possible, and in any event within an outer limit of four (4) weeks thereafter.

**SD/-
(SACHIN SHANKAR MAGADUM)
JUDGE**