



HC-KAR

**IN THE HIGH COURT OF KARNATAKA AT DHARWAD
DATED THIS THE 24TH DAY OF MARCH 2026
PRESENT**

THE HON'BLE MR. JUSTICE B.M.SHYAM PRASAD

AND

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

WRIT APPEAL NO.100154 OF 2026 (GM-TEN)

BETWEEN:

RAM COMPUTERS
A PROPRIETORSHIP FIRM,
HAVING ITS OFFICE AT GROUND FLOOR,
CTS NO.281, PLOT NO.12, SHOP NO.5,
SHIV GANESH APARTMENT, KHANAPUR ROAD,
NEAR MAY FLOWER APARTMENT,
TILAKWADI, TQ. AND DIST. BELAGAVI-590006,
REPRESENTED BY ITS SOLE PROPRIETOR
SHRI. ANNASAHEB BHANGARE
S/O. KALLAPPA BANGARE,
AGE. 58 YEARS, OCC. BUSINESS,
R/O. SAMMED BUILDING, PLOT NO.27,
CTS NO. 2420, SECOND CROSS,
NEAR AMRITA VIDYALAYA SCHOOL,
NITYANAND COLONY, MANDOLI ROAD,
TQ. AND DIST. BELAGAVI-590008.

... APPELLANT

(BY SRI. GIRISH A.YADAWAD, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS
PRINCIPAL SECRETARY,
DEPARTMENT OF HEALTH AND
FAMILY WELFARE, M.S BUILDING,
DR. B.R AMBEDKAR ROAD,
BENGALURU-560001.





2. THE DISTRICT HEALTH AND
FAMILY WELFARE DEPARTMENT,
THE ZILLA PANCHAYAT BELAGAVI,
CHAVAT GALLI, BELAGAVI,
TQ. AND DIST. BELAGAVI-590001.
3. THE DISTRICT HEALTH AND
FAMILY WELFARE OFFICER,
BELAGAVI HEALTH AND
FAMILY WELFARE DEPARTMENT,
JILLA PANCHAYAT BELAGAVI,
CHAVAT GALLI, TQ. AND DIST. BELAGAVI-590001.

... RESPONDENTS

(BY SRI. SHARAD V.MAGADUM, AGA)

THIS WRIT APPEAL IS FILED U/S.4 OF
KARNATAKA HIGH COURT ACT, 1961, PRAYING TO
MODIFY THE IMPUGNED ORDER DATED 18.03.2026
PASSED BY THE LEARNED SINGLE JUDGE IN WP
NO.102525/2026(GM-TEN), BY GRANTING THE INTERIM
ORDER AS PRAYED FOR IN THE SAID WRIT PETITION,
IN THE INTEREST OF JUSTICE AND EQUITY; AND ETC.

THIS WRIT APPEAL COMING ON FOR
PRELIMINARY HEARING THIS DAY, JUDGMENT WAS
DELIVERED THEREIN AS UNDER:

CORAM: THE HON'BLE MR. JUSTICE B.M.SHYAM PRASAD
AND
THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR



ORAL JUDGMENT

(PER: THE HON'BLE MR. JUSTICE B.M.SHYAM PRASAD)

The appellant [*a proprietorship firm*] has filed the petition in Writ Petition No.102525 of 2026 calling in question the Tender Notification dated 09.03.2026 issued by the third respondent inviting offers for issuance of contract for providing *Manpower Services* such as Pharmacists, Lab Technicians and Staff Nurse. The petitioner has also sought a mandamus to the third respondent to consider his representations against certain changes in the *Tender Stipulations* from the previous Tender Notification/s. The writ Court has issued notice to the respondents/ authorities with liberty to file pleadings but without considering the petitioner's request for interim order.

2. Sri Girish Yadawad, the learned counsel for the appellant, submits that the appellant's writ petition will be rendered infructuous if he cannot submit his bid by 04:00 p.m. today, and the learned



counsel submits as follows on the grounds on which the interim order is requested.

[a] The third respondent had issued an earlier Tender Notification on 12.09.2025 enabling even a proprietorship firm to participate in the tender process, but notwithstanding the requirements of Section 14 of the Karnataka Transparency in Public Procurements Act, 1999 on communication of the reason to cancel or abandon the earlier tender process, the third respondent has either cancelled or abandoned the process, the petitioner is not given any reason for cancelling or abandoning the earlier process.



[b] The petitioner is qualified in every other manner and the third respondent in restricting the participation only to a Society or a Co-operative Society in the impugned Tender Notification dated 09.03.2026, has restricted competition violating the principles of *Level Playing Field* and *Open Competition*.

3. Sri Sharad Magadum, the learned Additional Government Advocate who is permitted to take notice for the respondents, is heard for disposal of the writ appeal with just interim arrangement. The writ Court will have to decide on the merits of the third respondent's decision to either cancel or abandon the earlier tender and the reasons for changing certain terms in the impugned Tender Notification, including restricting the participation



only to a Society or Cooperative society. However, if in the interregnum the tender process is complete and work order is issued, there would be third party interests leading to precipitation and as such there must be a just and reasonable interim arrangement.

4. This Court is of the view that if the petitioner is permitted to submit his bid and the third respondent is directed to receive and evaluate the same without insisting on the petitioner being a Society/ Co-operative Society, or furnish PAN accordingly, subject to further orders of the writ Court, the balance between mutual interests could be protected. If the appellant does not offer the lowest bid it will lose its cause; and if it offers the lowest bid but the authorities can justify the changes including the decision to cancel the earlier tender, there could be just orders. In the light of the afore, the writ appeal is ***disposed of*** permitting the appellant to submit the bid by 04.00 p.m. online as is now



HC-KAR

permissible; further, in the event of a technical glitch or difficulty for the appellant, directing the third respondent to receive the physical documents and evaluate the same in the light of this Court's observation but subject to the writ Court's final decision.

**Sd/-
(B.M.SHYAM PRASAD)
JUDGE**

**Sd/-
(SHIVASHANKAR AMARANAVAR)
JUDGE**

VNP/CT: VH
List No.: 2 Sl No.: 8