



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 6TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO.101840 OF 2025 (GM-TEN)

BETWEEN:

1. BASAPPA SIDDAPPA HITTANAGI,
AGED ABOUT 70 YEARS,
OCC: AGRICULTURE,
R/O: H.NO. 1560, SHANTI NAGAR,
RAIBAG- 591317, TQ: RAIBAG,
DIST: BELAGAVI.
2. MALLIKARJUN GURULINGAPPA HUBBALLI,
AGED ABOUT 46 YEARS, OCC: AGRICULTURE,
R/O: MUGALKOD- 591235,
TQ: RAIBAG, DIST: BELAGAVI.
3. SHIVANAND GURULINGAPPA HUBBALLI,
AGED ABOUT 53 YEARS, OCC: AGRICULTURE,
R/O: MUGALKOD- 591235,
TQ: RAIBAG, DIST: BELAGAVI.
4. MAHADEV IRAPPA YADANNAVAR,
AGED ABOUT 45 YEARS, OCC: AGRICULTURE,
R/O: MUGALKOD- 591235,
TQ: RAIBAG, DIST: BELAGAVI.
5. BASAGOUDA RAYAGOUDA KHETAGOUDAR,
AGED ABOUT 73 YEARS, OCC: AGRICULTURE,
R/O: MUGALKOD- 591235,
TQ: RAIBAG, DIST: BELAGAVI.
6. MANJU BHIMAPPA MUDALAGI,
AGED ABOUT 38 YEARS, OCC: AGRICULTURE,





R/O: MUGALKOD- 591235,
TQ: RAIBAG, DIST: BELAGAVI.

7. SHIVAPPA LAXMAN YADANNAVAR,
AGED ABOUT 74 YEARS, OCC: AGRICULTURE,
R/O: MUGALKOD- 591235,
TQ: RAIBAG, DIST: BELAGAVI.
8. GOPAL IRAPPA YADANNAVAR,
AGED ABOUT 49 YEARS, OCC: AGRICULTURE,
R/O: MUGALKOD- 591235,
TQ: RAIBAG, DIST: BELAGAVI.
9. SHIVANAND SANGAPPA JAMBAGI,
AGED ABOUT 47 YEARS, OCC: AGRICULTURE,
R/O: MUGALKOD- 591235,
TQ: RAIBAG, DIST: BELAGAVI.

...PETITIONERS

(BY SRI. RAJASHEKHAR BURJI, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
DEPARTMENT OF MINOR IRRIGATION AND
GROUND WATER DEVELOPMENT DEPARTMENT (MI),
VIKAS SOUDHA, DR. AMBEDKAR VEEDHI,
BENGALURU- 560001,
REP BY ITS SECRETARY.
2. EXECUTIVE ENGINEER,
DEPARTMENT OF MINOR IRRIGATION AND
GROUND WATER DEVELOPMENT DEPARTMENT (MI),
BELAGAVI DIVISION, FORT,
BELAGAVI- 590001, TQ: AND DIST: BELAGAVI.
3. ASSISTANT EXECUTIVE ENGINEER,
DEPARTMENT OF MINOR IRRIGATION AND
GROUND WATER DEVELOPMENT DEPARTMENT (MI),
SUB-DIVISION, ATHANI- 591304,
TQ: ATHANI, DIST: BELAGAVI.



4. RAJEEV MAHABALESHWAR SUBEDAR,
AGED ABOUT 50 YEARS, OCC: CONTRACTOR,
R/O: GOKAK- 591307,
TQ: GOKAK, DIST: BELAGAVI.

...RESPONDENTS

(BY SRI. T. HANUMAREDDY, AGA FOR R1 TO R3,
SRI. VINAY S. KOUJALAGI, FOR
SRI. V.M. SHEELVANT, ADVOCATES FOR R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF CONSTITUTION OF INDIA, PRAYING TO A) QUASH THE TENDER NOTIFICATION DATED 19-01-2024 BEARING NO.EE/MI &GWDDD/BGM/TND/AE-1/JE/2023-24/310 ISSUED BY RESPONDENT NO.2 PRODUCED AT ANNEXURE-C AND CONSEQUENTLY QUASH THE WORK ORDER/ TENDER AGREEMENT BEARING NO. IRT/RBG/CE-52 DATED 23-12-2024 ISSUED BY RESPONDENT NO. 2 PRODUCED AT ANNEXURE-D IN SO FAR IT RELATES TO ITEM NO. 13 ONLY. B) DIRECT THE RESPONDENT NO. 1 AND 2 TO CONSIDER THE REPRESENTATION DATED. 25-02-2025 AND FURTHER DIRECT THE RESPONDENT NO. 1 AND 2 TO ACQUIRE THE LAND OF THE PETITIONERS AS PROVIDED UNDER ACT OF 2013 PRODUCED AT ANNEXURE-E.

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

CORAM: THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI



ORAL ORDER

The present writ petition is filed seeking for the following prayer:

"a) Quash the Tender Notification dated 19-01-2024 bearing No.EE/MI &GWDDD/BGM/TND/AE-1/JE/2023-24/310 issued by Respondent No.2 produced at Annexure-C and consequently quash the Work Order/ Tender Agreement bearing No. IRT/RBG/CE-52 dated 23-12-2024 issued by Respondent No.2 produced at Annexure-D in so far it relates to item No. 13 only.

b) Direct the Respondent No. 1 and 2 to consider the representation dated 25-02-2025 and further direct the Respondent No. 1 and 2 to acquire the land of the Petitioners as provided under Act of 2013 produced at Annexure-E.

c) Pass such other order or direction, this Hon'ble Court deems fit in the circumstance of the case."

2. As far as the first prayer with regard to passing of the tender notification is concerned, the counsel appearing for the respondent No.4 submits that, permission to the tender notification work is allotted to him and he has completed the work, but the amount is not released to him in view of the pending writ petition. Considering the fact that already the work is executed pursuant to the tender notification dated 19.01.2024, nothing survives for consideration in this writ petition as far as prayer (a) is concerned.



3. Coming to prayer (b) with regard to the representation dated 25.02.2025 given by the petitioners to the respondents, whereby it is stated that, because of the bridge or the barrage that is constructed, the land which is adjacent to the said barrage will always be flooded with water and would be of no use for the petitioners. Hence, they have requested the respondents to acquire the land and pay the compensation. The respondents have not considered the same.

4. Learned Additional Government Advocate submits that, he will get instructions in this regard.

5. Having heard the counsels on either side, perused the material on record. The petitioners have given the representation dated 25.02.2025. The respondents ought to have considered the same in accordance with law and ought to have communicated the petitioners whether such a request of the petitioners can be considered or not. If not, the petitioners will avail the remedies available to them under law. In that view of the matter, this Court is passing the following:



ORDER

- (i) Accordingly, the writ petition is ***dismissed*** as far as prayer (a) i.e. passing the Tender Notification dated 19.01.2024 is concerned.
- (ii) As far as prayer (b) is concerned, there shall be a direction to respondent Nos.1 and 2 to consider the representation dated 25.02.2025 in accordance with law within a period of 6 weeks from the date of receipt of the copy of the order.
- (iii) All I.As. in this writ petition shall stand closed.

Sd/-
JUSTICE LALITHA KANNEGANTI

RH
CT GTB
List No.: 1 Sl No.: 1