



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 7TH DAY OF APRIL 2026

PRESENT

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

AND

THE HON'BLE MR. JUSTICE SHIVASHANKAR AMARANNAVAR

WRIT APPEAL NO. 100198 OF 2026 (GM-TEN)

BETWEEN:

THE OCEAN ADVENTURES,
A PARTNERSHIP FIRM,
TEMPLE ROAD, MURDESHWAR,
TQ: BHAKTAL, DIST: KARWAR – 581 350,
R/BY ITS PARTNER,
SMT. GOUTAMI W/O. GANESH HARIKANT,
AGE: 39 YEARS, OCC: BUSINESS,
R/O: SONARKERI, BHATKAL,
DIST: UTTARA KANNADA – 581 350.

... APPELLANT

(BY SRI. S. B. HEBBALLI, ADV.)

AND:

1. THE SECRETARY,
DEPARTMENT OF TOURISM,
4TH FLOOR, EMBASSY ICON,
INFANTRY ROAD, BENGALURU – 560 001.
2. THE DEPUTY COMMISSIONER AND
THE PRESIDENT, RIVER RAFTING &
WATER SPORTS MANAGEMENT &
MONITORING COMMITTEE – (R),
DIST: UTTARA KANNADA,
KARWAR – 581 350.
3. THE MEMBER SECRETARY,
RIVER RAFTING AND WATER SPORTS,
MANAGEMENT AND MONITORING
COMMITTEE (R), EX-OFFICIO,
THE DEPUTY DIRECTOR,





DEPARTMENT OF TOURISM,
TOURISM OFFICE, NEAR RTO OFFICE,
NH 66, GOA ROAD,
KARWAR – 581 301.

... RESPONDENTS
(BY SRI. SHARAD V. MAGADUM, AGA FOR R1 & R2;
SRI. S.V. YAJI, ADV. FOR C/R3)

THIS WRIT APPEAL IS FILED UNDER SECTION 4
OF KARNATAKA HIGH COURT ACT, 1961, PRAYING TO
SET ASIDE THE IMPUGNED ORDER DATED 01.04.2026
PASSED BY THE LEARNED SINGLE JUDGE IN W.P NO.
102777/2026 (GM-TEN) INsofar AS NOT GRANTING
THE INTERIM PROTECTION AND THIS HON'BLE COURT
MAY BE PLEASED TO PERMIT THE PETITIONER FIRM
TO PARTICIPATE IN THE TECHNICAL BID, PURSUANT
TO THE TENDER NOTIFICATION DATED 17.03.2026
ISSUED BY RESPONDENT NO.2, IN NO. PRA.E/U.NI.KA/
KA/33/2025/26, WITHOUT INSISTING FOR SERVICE
CERTIFICATE AND NOC FROM RESPONDENT NOS.2
AND 3, IN THE INTEREST OF JUSTICE AND EQUITY.

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 has filed writ petition in W.P.No.102777/2026 calling in question the Tender Notification dated 17.03.2026 floated by the third respondent to avail services for water sports activities at Murudeshwara. The Writ Court has issued notice to the respondents without considering the appellant's request for an interim order, and this is the cause for the present appeal. Sri S. B. Hebballi, the learned counsel for the appellant submits that the second and third respondents have withheld requisite Service Certificate and No Objection Certificate [NOC] to prevent the appellant from participating in the tender only because the appellant [*the contractor during the previous contractual period*] has raised a dispute over payment and such writ petition is still pending consideration.

Sri S. V. Yaji, the learned standing counsel for the third respondent submits [*i*] that though the appellant has submitted his bids without the certificate/NOC, his bids are also evaluated, and [*ii*] that Sri Nischit Damodar



Moger has been awarded the work order on 06.04.2026 because his bids have been evaluated to be the L1 bids. Sri S. V. Yaji is categorical in stating that the appellant's bids have not been rejected on the ground of incomplete submissions.

In the light of these submissions, this Court is of the opinion that the writ appeal must be disposed of leaving open all questions to be decided in the pending litigation. The writ appeal stands ***disposed of*** accordingly, but this Court also observes that the Work Order issued in favour of the afore-third party will have to be subject to further orders in the pending litigation.

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

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

KGK / CT: ASC
List No.: 2 Sl No.: 8