



IN THE HIGH COURT OF KARNATAKA, AT DHARWAD

DATED THIS THE 4TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

WRIT PETITION NO.108888 OF 2025 (GM-RES)

BETWEEN:

M/S. PRADEEP CONSTRUCTION COMPANY
ENGINEER AND CONTRACTORS,
OFFICE AT VRINDAVAN APARTMENT,
OPP. BUB COLLEGE, VIDYANAGAR, HUBBALLI,
R/BY. ONE OF THE PARTNER, `JAGANATH S/O. GANAPATI SHETTY,
AGE: 59 YEARS, OCC. PARTNER
M/S. PRADEEP CONSTRUCTION
AND CO ENGINEER AND CONTRACTOR,
R/O.#32-33, PRAGATI COLONY,
VIDYANAGAR, HUBBALLI,
TQ. HUBBALLI, DIST. DHARWAD.

...PETITIONER

(BY SRI. S.B. DODDAGOUDAR, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
FINANCE DEPARTMENT,
II FLOOR, VIDHANA SOUDHA,
BENGALURU-560 001,
REPRESENTED BY ITS
ADDL. CHIEF SECRETARY.
2. THE MANAGING DIRECTOR
KNNL, BENGALURU-560001.
3. EXECUTIVE ENGINEER
KNNL PROJECT,





MRBCC DN-01,
NARGUND DIST GADAG-591302.

...RESPONDENTS

(BY SRI.T.HANUMAREDDY, AGA FOR R1;
SRI.CHETAN T. MUNNOLI, ADVOCATE FOR R2 AND R3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A. TO ISSUE A WRIT OF MANDAMUS TO THE RESPONDENT NO.3 TO CONSIDER THE PETITIONER'S REPRESENTATION AT ANNEXURE-A DATED 01.10.2025, WHEREIN THE PETITIONER SOUGHT FOR RELEASE OF PAYMENT OF EARNEST MONEY DEPOSIT (EMD) AND FURTHER SECURITY DEPOSIT (FSD) WITH INTEREST OF 18% IT COMES TO THE TUNE OF RS.6,22,385/- TOWARDS TENDER WORK NAMELY REMODELLING OF 52 ACBC FROM KM 8.00 TO 9.00 INCLUDING STRUCTURES UNDER M.R.B.C. UNDER ERM OF MALAPRABHA CANAL SYSTEM 16.05.2020. B. THE HONBLE COURT MAY ALSO BE PLEASED TO PASS ANY OTHER WRIT, ORDER, DIRECTION ETC IN THE ABOVE CASE TO SERVE THE ENDS OF JUSTICE.

THIS PETITION, COMING ON FOR PRELIMINARY 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 the following prayer:

"a. To issue a writ of mandamus to the respondent No.3 to consider the petitioner's representation at Annexure A dtd 01.10.2025, wherein the petitioner sought for release of payment of Earnest Money Deposit (EMD) and Further Security Deposit (FSD) with interest of 18% it come to the tune of Rs.6,22,385/- towards tender work namely "remodelling of 52 ACBC from Km 8.00 to 9.00 including structures under M.R.B.C. under ERM of Malaprabha Canal System. 16/05/2020"

b. The Hon'ble Court may also be pleased to pass any other writ, order, direction etc in the above case to serve the ends of justice."

2. It is the case of the petitioner that on 16.05.2020 the respondents have issued tender notification and the work order has been issued to the petitioner. The petitioner has completed the work and the respondents have issued a satisfactory certificate to the petitioner. It is the case of the petitioner that even after completing the work, the respondents have not released the Earnest Money Deposit (EMD) of an amount of Rs.1,64,700/- and Further Security Deposit (FSD) of an amount of Rs.10,23,747/- with interest @ 18% per annum. He has made several representations to the respondents but the



respondents have failed to consider the same, which made the petitioner to come before this Court. It is submitted that there shall be a direction to the respondent to consider his representation.

3. Learned counsel appearing for respondent No.2 and 3 submits that he would get instructions in this regard.

4. When the petitioner has given representations to the respondents that they have to return the EMD amount and the other amounts, the respondents are duty bound to consider the same in accordance with law and tell the petitioner whether he is entitled for the same or not so that the petitioner would avail the appropriate remedy available to him and it is not appropriate on the part of the respondents to keep quiet without taking any action on the representation. In these circumstances, this Court is of the view that no instructions are required to be obtained by the counsel appearing for the respondent No.2 and 3. In that view of the matter, this Court is passing the following:



ORDER

- (i) The respondent No.3 shall consider the representation dated 01.10.2025 given by the petitioner in accordance with law, as expeditiously as possible, but not later than eight weeks.
- (ii) Accordingly, the writ petition is ***disposed off***.
- (iii) All I.As., in this writ petition stand closed.

Sd/-
JUSTICE LALITHA KANNEGANTI

YAN
CT:UMD
LIST NO.: 1 SL NO.: 0