



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

WRIT PETITION NO. 201237 OF 2026 (GM-RES)

BETWEEN:

M/S JYOTIRLING SECURITY SERVICES
SHOP NO.139, OLD BAJI MARKET RAIBAG
TQ. RAIBAG, DIST. BELGAUM
REP BY ITS PROPRIETOR
SRI SHEKAR S/O BALAPPA HARUGERI
AGED ABOUT 46 YEARS
OCC: ELECTRICAL CONTRACTOR
R/O RAIBAG, TQ RAIBAG DIST: BELGAUM -591317

...PETITIONER

(BY SRI SHARANABASAVESHWAR MAMADAPUR, ADVOCATE)

AND:

1. THE CHIEF ENGINEER (ELECTY)
KARNATAKA POWER TRANSMISSION
CORPORATION LTD,
OPERATIONS "PRASARANA BHAVAN"
KPTCL, SEDAM ROAD, KALABURGI - 585105
2. THE SUPERINTENDING ENGINEER (ELE)
TRANSMISSION (PROJECTS) KPTCL
KALABURAGI - 585101

...RESPONDENTS

(BY SRI ARUNKUMAR AMARGUNDAPPA, ADVOCATE FOR R1
AND R2)



THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO A) ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT OR DIRECTION IN THE NATURE OF WRIT DIRECTING THE RESPONDENT NO. 1 TO CONSIDER THE REPRESENTATION DATED 10.03.2025 SUBMITTED BY THE PETITIONER AS PER ANNEXURE-C AND FURTHER DIRECT THE RESPONDENT NO. 1 TO REFUND THE EMD AMOUNT SUBMITTED BY THE PETITIONER IN THE INTEREST OF JUSTICE AND EQUITY; B) PASS SUCH OTHER ORDER OR DIRECTIONS AS DEEMS FIT UNDER THE CIRCUMSTANCES OF THE CASE.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE S.VISHWAJITH SHETTY

ORAL ORDER

This Writ Petition under Articles 226 and 227 of the Constitution of India is filed seeking a writ of mandamus directing respondent No.1 to consider the representation at Annexure-C dated 10.03.2025 submitted by the petitioner and to further direct respondent No.1 to refund the EMD amount deposited by the petitioner.

2. Heard the learned counsel for the parties.

3. It is the case of the petitioner that he had participated in a tender process that was called for by respondent No.1 and had deposited EMD amount of



Rs.4,02,802/-. Though the petitioner was declared as successful bidder for supply of security guards, since the petitioner was asked to submit performance bank guarantee, which according to the petitioner was contrary to the general terms and conditions of the tender documents, he had expressed that he is not interested in the tender process and accordingly, he had submitted representation on 10.03.2025 vide Annexure-C with a prayer to refund the EMD amount deposited by him. Grievance of the petitioner is that till date the said representation has not been considered by the respondent.

4. Learned counsel appearing for the respondent submits that if some reasonable time is granted, the representation of the petitioner at Annexure-C shall be considered and appropriate orders in accordance with law shall be passed.

5. The said submission is placed on record.



6. The Writ Petition is ***partly allowed*** and a direction is issued to respondent No.1 to consider the representation of the petitioner at Annexure-C dated 10.03.2025 and pass appropriate orders on the same in accordance with law, as expeditiously as possible, but not later than a period of two months from the date of receipt of copy of this order. Petitioner shall file a copy of this order before respondent No.1 along with a fresh representation within a period of two weeks from the date of receipt of copy of this order.

Sd/-
(S.VISHWAJITH SHETTY)
JUDGE

SWK
List No.: 1 Sl No.: 8