NC: 2024:KHC-D:12487
WP No. 104747 of 2023

IN THE HIGH COURT OF KARNATAKA, DHARWAD BENCH

DATED THIS THE 31ST DAY OF AUGUST, 2024

BEFORE

THE HON'BLE MR. JUSTICE H.P.SANDESH

WRIT PETITION NO. 104747 OF 2023 (GM-TEN)

BETWEEN:

M/S. SHARADA GRAMEENA ABHIVRUDDI AND
VIVIDODDESHA ABHIVRUDDI SAMSTHE, KUSHTAGI,
REPRESENTED BY ITS PRESIDENT, DIST: KOPPAL,
SMT. GANGA W/O. PRAKASH GOUDA POLICE PATIL.

...PETITIONER

(BY SRI. SADIQ N. GOODWALA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA,
   REPRESENTED BY ITS PRINCIPAL SECRETARY,
   DEPARTMENT OF YOUTH ENFORCEMENT AND SPORTS,
   VIKASA SOUDHA, BENGALURU-560001.

2. THE ADDITIONAL CHIEF SECRETARY
   TO GOVERNMENT, FINANCE DEPARTMENT,
   VIKASA SOUDHA, BENGALURU-560001.

3. THE COMMISSIONER,
   FOR YOUTH ENFORCEMENT AND SPORTS,
   M.S. BUILDING, BENGALURU-560001.

4. THE DEPUTY DIRECTOR AND TENDERING AUTHORITY,
   FOR YOUTH ENFORCEMENT AND SPORTS,
   BELAGAVI, DIST: BELAGAVI-590001.

...RESPONDENTS

(BY SRI. PRAVEEN K. UPPAR, AGA FOR R1-R4)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN A NATURE OF MANDAMUS DIRECTING THE RESPONDENT NO.4 AUTHORITY TO FOLLOW THE CIRCULAR DATED 29.11.2021 ISSUED BY RESPONDENT NO.2 VIDE ANNEXURE-C; A WRIT IN A NATURE OF MANDAMUS DIRECTING THE RESPONDENT NO.4 TO CALL FOR FRESH TENDER FOR SUPPLY OF BREAKFAST, LUNCH AND DINNER FOR SPORTS SCHOOL/HOSTELS AT BELAGAVI DISTRICT AND ETC.

SAROJA HANGARAKI
Location: HIGH COURT OF KARANTAKA DHARWAD BENCH

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE H.P.SANDESH)

Heard the learned counsel for the petitioner and learned AGA for respondents/State.

2. The present petition is filed praying this Court to issue writ in a nature of mandamus directing respondent No.4 authority to follow the circular dated the 29.11.2021 issued by respondent No.2 vide Annexure-C and also writ in a nature of mandamus directing respondent No.4 to call for fresh tender for supply of breakfast, lunch and dinner for sports, school, public hostels at Belgavi District and grant such other relief.

3. The learned counsel appearing for the State brought to notice of this Court that statement of objection is filed and also contended that the tender is only for a period of one year from 31.07.2023 and period has already been elapsed. The document to that effect the tender dated 31.07.2023, wherein also it is only for a period of 325 days or for a period of one year and when such tender is called only for a period of one year and period is already over and hence, the

petition does not survive for consideration in view of elapsing of time. Hence, the petition is disposed of as it has becomes infructuous.

Sd/-
(H.P.SANDESH)
JUDGE

SSP
CT-MCK
List No.: 1 Sl No.: 12