

IN THE HIGH COURT OF KARNATAKA  
CIRCUIT BENCH AT DHARWAD

DATED THIS THE 26<sup>th</sup> DAY OF AUGUST 2009

BEFORE

THE HON'BLE MR.JUSTICE AJIT J.GUNJAL

WRIT PETITION NO.63514/2009(GM-TEN)

BETWEEN:

YALLAPPA HANUMAPPA SHASTRI  
CHAIRMAN, RON TALUKA STONE CUTTERS  
AND EARTH DIGGERS LABOUR CO-OP. SOCIETY  
NAREGAL, RAON TALUK, GADAG DISTRICT.

PETITIONER

(By Sri. J.S.SHETTY , ADV.)

AND:

1. THE DEPUTY COMMISSIONER  
GADAG DISTRICT, GADAG.
2. PATTANA PANCHAYATH, NAREGAL,  
RON TALUK, GADAG DISTRICT,  
BY ITS CHIEF OFFICER.
3. Y.C.NALAVADI, AGE MAJOR,  
ENGINEERING AND CONTRACTOR  
R/O SRISHAILA SADANA,  
U.B. HILLS, DHARWAD.

. RESPONDENTS

(BY SRI. R.K. HATTI, HCGP FOR R1,  
SRI CHANDRASHEKAR P. PATIL, ADV. FOR R2 AND  
SRI SANTOSH B. MALAGOUDAR, ADV. FOR C/R 3)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF  
THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER  
DATED 2/3/2009 PASSED BY THE 1<sup>ST</sup> RESPONDENT THE COPY  
OF WHICH IS PRODUCED AT ANNEXURE-A INsofar AS ITEM  
NO.3 TENDER PACKAGE III AND ITEM NO.4 TENDER PACKAGE

V AND ALSO CHALLENGING THE LEGALITY AND THE VALIDITY OF THE ENDORSEMENT DATED 16/6/2009 ISSUED BY THE 2<sup>ND</sup> RESPONDENT THE COPY OF WHICH IS PRODUCED AT ANNEXURE - B AND ETC.

THIS WP COMING ON FOR ORDERS, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Even though the matter is listed for orders, with consent, it is taken up for final disposal.

2. The petitioner is questioning the acceptance of tender in favour of respondent No.3. Apparently, acceptance of tender in favour of respondent No.3 can be questioned under Section 16 of the Karnataka Transparency in Public Procurements Act, 1999, by way of an appeal.

Reserving liberty to do so, petition stands rejected.

Sd/-  
JUDGE

kmv