



NC: 2026:KHC:11344
WP No. 40 of 2026
C/W WP No. 38498 of 2025
WP No. 39669 of 2025
AND 3 OTHERS

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY 2026

BEFORE

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

WRIT PETITION No. 40/2026 (GM-TEN)

C/W

WRIT PETITION No.38498/2025 (GM-FOR)

WRIT PETITION No.39669/2025 (GM-TEN)

WRIT PETITION No.41/2026 (GM-TEN)

WRIT PETITION No.42/2026 (GM-TEN)

WRIT PETITION No.748/2026 (GM-TEN)



IN W.P.No. 40/2026

BETWEEN :

- 1 . SRI ANANTHA PADMANABHA KINI
S/O K.VITTAL KINI
AGED ABOUT 59 YEARS
FOREST CONTRACTOR,
R/AT SIRIGERE VILLAGE,
SHIVAMOGGA TALUK AND
DISTRICT-577211.
- 2 . SRI PERUMAL T
S/O TIRUPATHI
AGED ABOUT 62 YEARS
FOREST CONTRACTOR
R/AT BHARATHI NAGARA



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HAIHOLE POST, NEAR MARIYAMMA TEMPLE
SHIVAMOGGA TALUK AND
DISTRICT-577201.

- 3 . SRI ABDUL MAJID S.M
S/O MAHABOOB SAB S.B
AGED ABOUT 51 YEARS
FOREST CONTRACTOR
R/AT ELAHI MANSION
BOMMANAKATTE,
BHADRAVATHI
SHIVAMOGGA DIST-577301.
- 4 . LOHITH KUMAR P
S/O PERUMAL T
AGED ABOUT 32 YEARS
FOREST CONTRACTOR
R/AT BHARATHI NAGARA
HAIHOLE POST,
NEAR MARIYAMMA TEMPLE
SHIVAMOGGA TALUK AND
DISTRICT-577201.
- 5 . SRI KANTHARAJU
S/O APPAJI GOWDA
AGED ABOUT 46 YEARS
FOREST CONTRACTOR
R/AT BAGESHPURA VILLAGE AND POST
ARASHIKERE TALUK
HASSAN DIST-573162.
- 6 . SRI TEEKAPPA
S/O K SINGRIGOWDA
AGED 46 YEARS
FOREST CONTRACTOR



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R/AT LAXMI VENKATESHWARA NILAYA
1ST CROSS, BARAMAPPA NAGARA
SHIVAMOGGA-577201.

- 7 . MOHAMED KHASIM
S/O MOHAMED MUNEER
AGED ABOUT 33 YEARS
FOREST CONTRACTOR
R/AT 2ND CROSS, ANWAR COLONY
BHADRAVATHI,
SHIVAMOGGA DIST-577301.
- 8 . SRI VENKATESH H.R
S/O B. RAMAKRISHNAPPA
AGED 60 YEARS
FOREST CONTRACTOR
R/AT NEAR MARIKAMBA TEMPLE,
HUMCHADAKATTE,
THIRTHAHALLI TALUK
SHIVAMOGGA-577436.
- 9 . SRI HAFIZULLA SHARIFF
S/O KHALEEL UR RAHMAN SHARIFF
AGED ABOUT 54 YEARS
FOREST CONTRACTOR
R/AT 3RD CROSS, NEAR WATER TANK,
INDIRA NAGAR, BHADRAVATHI
SHIVAMOGGA DIST-577301.
- 10 . SHAFIQ AHAMED
S/O MOHAMMED MUSTHAQ AHMED
AGED ABOUT 41 YEARS
FOREST CONTRACTORS
R/AT EIDGHA NAGARA
NEAR URDUSCHOOL,



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ANWAR COLONY EXTENSION
BHADRAVATHI
SHIVAMOGGA DIST-577301.

- 11 . JAVEED NOORUDDIN SYED
S/O N.K.SYED
AGED 53 YEARS
FOREST CONTRACTOR
R/AT 1ST CROSS,
OPP ST THOMAS COMMUNITY HALL
MISSION COMPOUND,
SHIVAMOGGA-577201.
- 12 . KHASHIM. YASEEN KHAN
S/O KHASHIM KHAN
AGED 52 YEARS
FOREST CONTRACTOR
R/AT NO.20/2 A P ROAD,
THREETHAHALLI
NEAR SEEBINAKERE,
SHIVAMOGGA-577432.
- 13 . K.M.FAROOQ JAHANGIR
S/O LATE KHAZI ABDUL AZIZ
AGED ABOUT 67 YEARS
FOREST CONTRACTOR
R/AT LAKSHKAR MOHALLA
SHIVAMOGGA-577201.

...PETITIONERS

(BY SRI. ASHOK HARANAHALLI., SENIOR ADVOCATE
FOR SRI.K.V. VINOD KUMAR NAIDU., ADVOCATE)



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AND:

- 1 . THE STATE OF KARNATAKA
FOREST, ECOLOGY AND
ENVIRONMENT DEPARTMENT,
REP. BY ITS PRINCIPAL SECRETARY,
ROOM NO. 448, 4TH FLOOR,
GATE NO. 2, M. S. BUILDING,
BENGALURU - 560 001.
- 2 . KARNATAKA STATE FOREST
DEVELOPMENT CORPORATION LTD.,
REP. BY ITS MANAGING DIRECTOR,
VANA VIKAS, 2ND FLOOR, 18TH CROSS,
MALLESWARAM,
CHIKKAMAGALURU - 560 003.
- 3 . THE EXECUTIVE DIRECTOR,
KARNATAKA STATE FOREST DEVELOPMENT
CORPORATION LTD.,
NEAR RTO OFFICE, DC COMPOUND,
SHIVAMOGGA 577201.
- 4 . THE DIVISIONAL MANAGER,
KARNATAKA STATE
FOREST DEVELOPMENT
CORPORATION LTD.,
SHIVAMOGGA DIVISION,
NEAR RTO OFFICE, DC COMPOUND,
SHIVAMOGGA - 577201.

...RESPONDENTS

(BY SRI.K. SHASHI KIRAN SHETTY., ADVOCATE
GENERAL A/W SMT. SARITHA KULKARNI., AGA FOR
R1;



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SRI. MURGESH V CHARATI., ADVOCATE FOR R2 TO
R4; SRI. DILDAR SHIRALLI., ADVOCATE FOR
IMPLEADIGNG APPLICANT ON IA 2/2025)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO QUASHING THE
RE-TENDER NOTIFICATION DATED 26.12.2025
(ANNEXURE A) ISSUED BY RESPONDENT NO. 4,
BEARING NO. KA.A.AA.NI.NI/VIVYA/SHI MO/ S-5/
2025-26/1071; II. ISSUE A WRIT OF MANDAMUS
DIRECTING THE RESPONDENTS TO FINALISE,
CONFIRM, AND GIVE EFFECT TO THE TENDER
PROCESS INITIATED UNDER THE E TENDER
NOTIFICATION DATED 07.11.2025, BY ISSUING THE
WORK ORDER IN FAVOUR OF THE PETITIONERS AS
THE DECLARED L1 BIDDERS (ANNEXURE - B).

IN W.P.No. 38498/2025

BETWEEN :

1 . S K PRABHAKAR
S/O KRISHNAMURTHY,
AGED ABOUT 54 YEARS,
RESIDING AT WARD NO.6
MASTI COLONY
NEAR RTO OFFICE,
BANGARPET ROAD
KOLAR - 563 101.



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2 . MAHENDRA G
S/O GOVINDAPPA,
AGED ABOUT 36 YEARS,
RESIDING AT NO.2
BYPALLI ROAD GANESHPALYA
MULBAGAL, KOLAR - 563 131.

...PETITIONERS

(BY SRI. VIGNESHWAR S SHASTRY., SENIOR ADVOCATE
FOR SMT. BHANUPRIYA., ADVOCATE)

AND:

- 1 . STATE OF KARNATAKA
FOREST, ECOLOGY AND
ENVIRONMENT DEPARTMENT,
REP BY ITS PRINCIPAL SECRETARY
ROOM NO.448, 4TH FLOOR, GATE NO.2,
M.S.BUILDING, BENGALURU - 560001.
- 2 . KARNATAKA FOREST DEVELOPMENT
CORPORATION LIMITED
THROUGH ITS MANAGING DIRECTOR,
VANA VIKASA, 2ND FLOOR, 18TH CROSS,
MALLESHWARAM, BANGALORE - 560003.
- 3 . DIVISIONAL MANAGER
KARNATAKA FOREST DEVELOPMENT
CORPORATION LIMITED,
BANGALORE DIVISION,
VANA VIKAS 5TH FLOOR,
18TH CROSS,
MALLESHWARAM,
BANGALORE - 560003.



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- 4 . DIVISIONAL MANAGER
KARNATAKA FOREST DEVELOPMENT
CORPORATION LIMITED,
CHIKKAMAGALURE DIVISION,
JINKEVANA, K M ROAD,
CHIKKAMAGALURU - 577101.
- 5 . DIVISIONAL MANAGER
KARNATAKA FOREST DEVELOPMENT
CORPORATION LIMITED,
DHARWAD DIVISION,
FOREST COMPOUND,
NEAR K C PARK
DHARWAD - 580008.
- 6 . DIVISIONAL MANAGER
KARNATAKA FOREST DEVELOPMENT
CORPORATION LIMITED,
SHIMOGA DIVISION,
NEAR RTO OFFICE, DC OFFICE
COMPOUND, SHIMOGA - 577201

...RESPONDENTS

(BY SRI.K. SHASHI KIRAN SHETTY., ADVOCATE
GENERAL A/W SMT. SARITHA KULKARNI., AGA FOR
R1; SRI. MURUGESH V CHARATI., ADVOCATE FOR R2
TO R6)

THIS W.P. IS FILED UNDER ARTICLE 226 OF THE
CONSTITUTION OF INDIA PRAYING TO A. ISSUE A WRIT
OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT,
ORDER OR DIRECTION TO QUASH THE IMPUGNED



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ELIGIBILITY CRITERION REQUIRING EXPERIENCE OF THREE YEARS WITH MPM OR KARNATAKA FOREST DEVELOPMENT CORPORATION LIMITED OR KARNATAKA FOREST DEPARTMENT CONTAINED IN THE ADDENDUM CORRIGENDUM DATED 24.11.2025 ISSUED BY THE RESPONDENT NOS. 3 TO 6 (ANNEXURES J, IN NO. KaSaPaSa; KAAANINI/ViVya/Ben.Vi/Maaraata/2025-26/681 DATED: 21.11.2025, ANNEXURE-K IN NO.Sa:KAAANINI/ViVya/Chi.Mu/A6/2025-26/525 dated 24.11.2025, ANNEXURE-L IN NO.KAAANINI/ViVya/Dha.Vi/B3 May.Ka & Sa. Sam. E-Tender/2025-26/919 dated 21.11.2025 AND in ANNEXURE- 'M' in No. Sa: KAAANINI/ViVya/Shi. Mo/S-5/2025-26/938 dated 20.11.2025; B. ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT. ORDER OR DIRECTION DIRECTING THE RESPONDENTS TO PERMIT AND ALLOW THE PETITIONERS TO PARTICIPATE IN THE IMPUGNED TENDERS ON THE BASIS OF THEIR OVERALL EXPERIENCE IN FORESTRY OPERATIONS, FINANCIAL CAPACITY, AND TECHNICAL COMPETENCE, WITHOUT INSISTING ON PRIOR EXPERIENCE WITH THE SPECIFIED KARNATAKA ENTITIES AS PER ANNEXURE-E IN NO. KFDC/DM/CKM/A6/EXT & TRA 2025-26/492, DATED 07.11.2025 ANNEXURE-G IN NO. KFDC/DM/DWD/B3/EXT & TRA/2025-26/825 DATED 10.11.2026 AND ANNEXURE-H IN NO.



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KFDC/DM/DWD/B3/EXT&TRA/2025-26/825 DATED
10.11.2026 AND ANNEXURE-H IN NO KFDC/DM/SMG
S.5/EXT & TRA/2025-26/892 DATED 07.11.2025;
C. ISSUE A WRIT OF MANDAMUS OR ANY OTHER
APPROPRIATE WRIT, ORDER OR DIRECTION
DIRECTING THE RESPONDENTS TO EXTEND THE TIME
FOR SUBMISSION OF BIDS AND POSTPONE THE
OPENING OF TECHNICAL BID AND FINANCIAL BID TO
ENABLE THE PETITIONERS TO PARTICIPATE IN THE
TENDER, IN SO FOR PETITIONER IS CONCERN.

IN W.P.No. 39669/2025

BETWEEN :

ESTHUR NARAYANAPPA
AGED ABOUT 67 YEARS,
S/O LATE MATHAPPA,
R/AT ISTOOR VILLAGE,
BENDIGANAHALLI POST,
HOSKOTE TALUK,
BENGALURU RURAL - 562114

...PETITIONER

(BY SRI. SUBRAMANYA R., ADVOCATE)

AND:

1 . THE STATE OF KARNATAKA
FOREST, ECOLOGY AND
ENVIRONMENT DEPARTMENT,
REP. BY ITS PRINCIPAL SECRETARY,



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ROOM NO.448, 4TH FLOOR, GATE NO.2,
M.S.BUILDING,
BENGALURU - 560001.

- 2 . KARNATAKA STATE FOREST
DEVELOPMENT CORPORATION LTD.,
REP BY ITS MANAGING DIRECTOR,
VANA VIKAS, 2ND FLOOR, 18TH CROSS,
MALLESHWARAM,
BANGALORE - 560003.

- 3 . EXECUTIVE DIRECTOR,
KARNATAKA STATE
FOREST DEVELOPMENT
CORPORATION LTD.,
NEAR RTO OFFICE, DC COMPOUND,
SHIVAMOGGA - 577201.

- 4 . DIVISIONAL MANAGER
KARNATAKA STATE FOREST
DEVELOPMENT CORPORATION LTD.,
BANGALORE DIVISION,
BANGALORE
VANA VIKAS, 2ND FLOOR,
18TH CROSS, MALLESWARAM,
BANGALORE - 560003.

...RESPONDENTS

(BY SRI.K SHASHI KIRAN SHETTY., ADVOCATE GENRAL
A/W SMT. SARITHA KULKARNI., AGA FOR R1;
SRI. MURUGESH V CHARATI., ADVOCATE FOR R2 TO
R4)



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THIS W.P. IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE RE-TENDER NOTIFICATION DATED 26.12.2025 (ANNX-A) ISSUED BY R-2 BEARING NO.KA.A.Aa.Ni.Ni/ViVya/Bem.Vi/Marata/2025-26/986; DIRECT THE RESPONDENTS TO FINALISE CONFIRM, AND GIVE EFFECT TO THE TENDER PROCESS INITIATED UNDER THE E-TENDER NOTIFICATION DATED 08.11.2025 BY ISSUING THE WORK ORDER IN FAVOUR OF THE PETITIONER AND DECLARED L1 BIDDER (ANNX-B); ALTERNATIVELY; DIRECT THE RESPONDENT AUTHORITIES TO CONSIDER THE REPRESENTATION MADE BY THE PETITIONER DATED 09.12.2025 AND 26.12.2025 (ANNX-F AND H).

IN W.P.No. 41/2026

BETWEEN :

- 1 . S K PRABHAKAR
S/O KRISHNAMURTHY,
AGED ABOUT 54 YEARS,
RESIDING AT WARD NO. 6,
MASTI COLONY, NEAR RTO OFFICE,
BANGARPET ROAD,
KOLAR-563101.

- 2 . MAHENDRA G
S/O GOVINDAPPA,
AGED ABOUT 36 YEARS,



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RESIDING AT NO 2, BYPALLI ROAD
GANESHPALYA,
MULBAGAL, KOLAR - 563131.

...PETITIONERS

(BY SRI. VIGNESHWAR S SHASTRY., SENIOR ADVOCATE
FOR SMT. BHANUPRIYA., ADVOCATE)

AND:

- 1 . THE STATE OF KARNATAKA
FOREST, ECOLOGY AND
ENVIRONMENT DEPARTMENT,
REP. BY ITS PRINCIPAL SECRETARY,
ROOM NO. 448, 4TH FLOOR,
GATE NO. 2, M. S. BUILDING,
BENGALURU 560 001.
- 2 . KARNATAKA STATE FOREST
DEVELOPMENT CORPORATION LTD.
REP. BY ITS MANAGING DIRECTOR,
VANA VIKAS, 2ND FLOOR, 18TH CROSS,
MALLESWARAM,
BENGALURU - 560 003.
- 3 . THE EXECUTIVE DIRECTOR,
KARNATAKA STATE FOREST
DEVELOPMENT CORPORATION LTD.,
NEAR RTO OFFICE, DC COMPOUND,
SHIVAMOGGA-577201.
- 4 . DIVISIONAL MANAGER
KARNATAKA FOREST
DEVELOPMENT CORPORATION LIMITED,
BANGALORE DIVISION,



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VANAVIKAS 5TH FLOOR, 18TH CROSS
MALLESHWARAM,
BANGALORE KARNATAKA -560003.

- 5 . DIVISIONAL MANAGER
KARNATAKA FOREST
DEVELOPMENT CORPORATION LIMITED,
CHIKKAMAGALURE DIVISION,
JINKEVANA, KM ROAD,
CHIKKAMAGALURU - 577101.
- 6 . DIVISIONAL MANAGER
KARNATAKA FOREST DEVELOPMENT
CORPORATION LIMITED,
DHARWAD DIVISION,
FOREST COMPOUND,
NEAR K C PARK
DHARWAD-580008.
- 7 . DIVISIONAL MANAGER
KARNATAKA FOREST D
EVELOPMENT CORPORATION LIMITED,
SHIMOGA DIVISION,
NEAR RTO OFFICE,
DC OFFICE COMPOUND,
SHIMOGA-577201.

...RESPONDENTS

(BY SRI.K SHASHI KIRAN SHETTY., ADVOCATE
GENERAL A/W SMT.SARITHA KULKARNI., AGA FOR
R1; SRI. MURGESH V CHARATI., ADVOCATE FOR R2
TO R7)



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THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ELIGIBILITY CRITERION REQUIRING EXPERIENCE OF ONE YEARS WITH MPM OR KARNATAKA FOREST DEVELOPMENT CORPORATION LIMITED OR KARNATAKA FOREST DEPARTMENT CONTAINED IN THE RE-E-TENDER NOTIFICATION ISSUED BY THE RESPONDENT NO.4 FOR BENGALURU DIVISION IN NO. KFDC/DM/BNG/SALES/EXT AND TRA/CALL-2/2025-26/986 DATED 26.12.2025 AS ANNEXURE P, RE-E-TENDER NOTIFICATION ISSUED BY RESPONDENT NO.5 FOR CHIKKAMAGALURU DIVISION IN NO. KFDC/DM/CKM/A6/2025-26/492/CALL-2, DATED 26.12.2025 AS ANNEXURE-R, RE-E-TENDER NOTIFICATION ISSUED BY RESPONDENT NO.6 FOR DHARAWAD DIVISION IN NO. DATED KFDC/DM/DWD/B3/EXT AND TRA/2025-26/1092 26.12.2026 ANNEXURE-S AND RE-E-TENDER NOTIFICATION ISSUED BY RESPONDENT NO.7 FOR SHIVAMOGGA DIVISION IN NO.KA. A NI NI/VIVYA/SHI. MO/S-5/CALL-2/2025-26/1071 IS PRODUCED AND MARKED AS ANNEXURE-T IN RESPECT TO PETITIONERS ARE CONCERN; B ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION DIRECTING THE RESPONDENTS TO PERMIT AND ALLOW THE PETITIONERS TO PARTICIPATE IN THE IMPUGNED TENDERS ON THE



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BASIS OF THEIR OVERALL EXPERIENCE IN FORESTRY OPERATIONS, FINANCIAL CAPACITY, AND TECHNICAL COMPETENCE, WITHOUT INSISTING ON PRIOR EXPERIENCE WITH THE SPECIFIED KARNATAKA ENTITIES; C. ISSUE A WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER OR DIRECTION DIRECTING THE RESPONDENTS TO EXTEND THE TIME FOR SUBMISSION OF BIDS AND POSTPONE THE OPENING OF TECHNICAL BID AND FINANCIAL BID TO ENABLE THE PETITIONERS TO PARTICIPATE IN THE TENDER.

IN W.P.No. 42/2026

BETWEEN :

- 1 . SRI CHANDRANAİK
S/O BHAJYANAİK
AGED ABOUT 50 YEARS
FOREST CONTRACTOR
R/AT HANGARAHALLI VILLAGE
DUDDA HOBLI, KOMMARAGHATTA
HASSAN TALUK AND DIST-573162.

- 2 . SRI TEEKAPPA
S/O K SINGRIGOWDA
AGED 46 YEARS
FOREST CONTRACTOR
R/AT LAXMI VENKATESHWARA NILAYA
1ST CROSS, BARAMAPPA NAGARA
SHIVAMOGGA-577201.



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- 3 . SRI ANANTHA PADMANABHA KINI
S/O K.VITTAL KINI
AGED ABOUT 59 YEARS
FOREST CONTRACTOR,
R/AT SIRIGERE VILLAGE,
SHIVAMOGGA TALUK AND
DISTRICT-577211.

- 4 . SRI PERUMAL T
S/O TIRUPATHI
AGED ABOUT 62 YEARS
FOREST CONTRACTOR
R/AT BHARATHI NAGARA
HAIHOLE POST,
NEAR MARIYAMMA TEMPLE
SHIVAMOGGA TALUK AND
DISTRICT-577201.

- 5 . SRI KANTHARAJU
S/O APPAJI GOWDA
AGED ABOUT 46 YEARS
FOREST CONTRACTOR
R/AT BAGESHPURA VILLAGE AND POST
ARASHIKERE TALUK
HASSAN DIST-573162.

- 6 . SRI NOORULLA SHARIFF
S/O KAHLEEL UR REHAMAN SHARIFF
AGED ABOUT 64 YEARS
FOREST CONTRACTOR
R/AT 1ST MAIN ROAD,
INDIRA NAGARA,
OPP VAGESH TAKIES BHADRAVATHI,
SHIVAMOGGA-577301.



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- 7 . SRI HAFIZULLA SHARIFF
S/O KHALEEL RAHMAN SHARIFF
AGED ABOUT 54 YEARS
FOREST CONTRACTOR
R/AT 3RD CROSS, NEAR WATER TANK,
INDIRA NAGAR, BHADRAVATHI
SHIVAMOGGA DIST-577301.

- 8 . SRI ABDUL MAJID S.M
S/O MAHABOOB SAB S.B
AGED ABOUT 51 YEARS
FOREST CONTRACTOR
R/AT ELAHI MANSION
BOMMANAKATTE,
BHADRAVATHI
SHIVAMOGGA DIST-577301.

- 9 . SHAFIQ AHAMED
S/O MOHAMMED MUSTHAQ AHMED
AGED ABOUT 41 YEARS
FOREST CONTRACTORS
R/AT EIDGHA NAGARA
NEAR URDUSCHOOL,
ANWAR COLONY EXTENSION
BHADRAVATHI
SHIVAMOGGA DIST-577301.

- 10 . SRI KARTHIK T.M
S/O MUDALAPPA
AGED ABOUT 30 YEARS
FOREST CONTRACTOR
R/AT SRININDHI 2ND MAIN,
3RD CROSS, HEMAVATHI NAGAR
HASSAN-573202.



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- 11 . MOHAMED KHASIM
S/O MOHAMED MUNEER
AGED ABOUT 33 YEARS
FOREST CONTRACTOR
R/AT 2ND CROSS, ANWAR COLONY
BHADRAVATHI,
SHIVAMOGGA DIST-577301.

- 12 . SRI VENKATESH H.R
S/O B. RAMAKRISHNAPPA
AGED 60 YEARS
FOREST CONTRACTOR
R/AT NEAR MARIKAMBA TEMPLE,
HUMCHADAKATTE,
THIRTHAHALLI TALUK
SHIVAMOGGA-577436.

- 13 . SRI MOHAMMED GHOUSE
S/O ABDUL AZIZ
AGED ABOUT 60 YEARS
FOREST CONTRACTOR
R/AT BYPASS ROAD,
NEAR NEW BRIDGE, SAVAI PALYA,
DODDAPETE POST
SHIVAMOGGA-577202.

- 14 . SRI MOHAMMED AHAMED
S/O MOHAMMED GHOUSE
AGED ABOUT 27 YEARS
FOREST CONTRACTOR
R/AT BYPASS ROAD,
NEAR NEW BRIDGE, SAVAI PALYA,
DODDAPETE POST
SHIVAMOGGA-577202.

...PETITIONERS

(BY SRI. ASHOK HARANAHALLI., SENIOR ADVOCATE
FOR SRI. K.V. VINOD KUMAR NAIDU., ADVOCATE)



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AND:

- 1 . THE STATE OF KARNATAKA
FOREST, ECOLOGY AND ENVIRONMENT
DEPARTMENT, REP. BY
ITS PRINCIPAL SECRETARY,
ROOM NO. 448, 4TH FLOOR,
GATE NO. 2, M. S. BUILDING,
BENGALURU 560 001.
- 2 . KARNATAKA STATE FOREST
DEVELOPMENT CORPORATION LTD.
REP. BY ITS MANAGING DIRECTOR,
VANA VIKAS, 2ND FLOOR, 18TH CROSS,
MALLESWARAM,
BENGALURU - 560 003.
- 3 . THE EXECUTIVE DIRECTOR,
KARNATAKA STATE FOREST
DEVELOPMENT CORPORATION LTD.,
NEAR RTO OFFICE, DC COMPOUND,
SHIVAMOGGA- 577201.
- 4 . THE DIVISIONAL MANAGER,
KARNATAKA STATE FOREST
DEVELOPMENT CORPORATION LTD.,
CHIKKAMAGALURU DIVISION,
CHIKKAMAGALURU, JINKE VANA,
K.M.ROAD,
CHIKKAMAGALURU - 577102

...RESPONDENTS

(BY SRI.K SHASHI KIRAN SHETTY., ADVOCATE
GENERAL A/W SMT. SARITHA KULKARNI., AGA FOR



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WP No. 40 of 2026
C/W WP No. 38498 of 2025
WP No. 39669 of 2025
AND 3 OTHERS**

R1; SRI. MURUGESH V CHARATI., ADVOCATE FOR R2
TO R4)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASHING THE RE-TENDER NOTIFICATION DATED 26.12.2025 (ANNEXURE A) ISSUED BY RESPONDENT NO. 4, BEARING NO. KA.A.AA.NI.NI/ VIVYA/CHI. MA/S-6/2025-26/492 CALL 2; II. ISSUE A WRIT OF MANDAMUS DIRECTING THE RESPONDENTS TO FINALISE, CONFIRM, AND GIVE EFFECT TO THE TENDER PROCESS INITIATED UNDER THE E TENDER NOTIFICATION DATED 07.11.2025, BY ISSUING THE WORK ORDER IN FAVOUR OF THE PETITIONERS AS THE DECLARED L1 BIDDERS (ANNEXURE - B).

IN W.P.No. 748/2026

BETWEEN :

PRAVEEN KUMAR. V
S/O VENKATESHAPPA,
AGED ABOUT 37 YEARS,
FOREST CONTRACTOR,
M/S. TANISH ENTERPRISES,
R/AT ESTHUR VILLAGE,
BENGIGANAHALLI POST,
NANDAGUDI HOBLI,
HOSKOTE TALUK, BANGALORE RURAL,
BANGALORE-562122.

...PETITIONER

(BY SRI. PRASANNA D.P., ADVOCATE)



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AND:

- 1 . THE STATE OF KARNATAKA
FOREST, ECOLOGY AND
ENVIRONMENT DEPARTMENT,
REP. BY ITS PRINCIPAL SECRETARY,
ROOM NO. 448,
4TH FLOOR
GATE NO. 2,
M.S. BUILDING,
BENGALURU-560001.

- 2 . THE KARNATAKA STATE
FOREST DEVELOPMENT
CORPORATION LTD
REP. BY ITS MANAGING DIRECTOR,
VANA VIKASA,
2ND FLOOR, 18TH CROSS,
MALLESWARAM,
BANGALORE-560003.

- 3 . THE EXECUTIVE DIRECTOR
KARNATAKA STATE FOREST
DEVELOPMENT CORPORATION LTD.,
NEAR RTO OFFICE, DC COMPOUND,
SHIVAMOGGA - 577201.

- 4 . THE DIVISIONAL MANAGER
KARNATAKA STATE
FOREST DEVELOPMENT
CORPORATION LTC
BANGALORE DIVISION,
BANGALORE, VANA VIKASA,
2ND FLOOR,



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18TH CROSS, MALLESWARAM,
BANGALORE-560 003.

...RESPONDENTS

(BY SRI.K. SHASHI KIRAN SHETTY., ADVOCATE
GENERAL A/W SMT. SARITHA KULKARNI., AGA FOR
R1; SRI. MURUGESH V CHARATI., ADVOCATE FOR R2
TO R4)

THIS W.P. IS FILED UNDER ARTICLES 226 AND
227 OF THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE RE E TENDER NOTIFICATION DATED
26.12.2025 ISSUED FOR BENGALURU DIVISION NO.
KFDC/DM/BNG/SALES/EXT & TRA/CALL-2/2025-
26/986 AS PER ANNEXURE-M AND WRIT OF
MANDAMUS THEREBY DIRECT THE R-2 TO CONSIDER
HIS REPRESENTATION DATED 22.12.2025 AS PER
ANNEXURE-L AND CONSEQUENTLY DIRECT THE
RESPONDENTS TO OPEN THE BID OF THE PETITIONER.

THESE WRIT PETITIONS COMING ON FOR
PRONOUNCEMENT OF ORDERS THIS DAY, THE COURT
MADE THE FOLLOWING:

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD



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ORAL ORDER

The Karnataka Forest Development Corporation Limited [*the Corporation*] has invited tenders for extraction of Eucalyptus, Casuarina and Subabool trees in its multiple plantation units within Shivamogga, Chikkamagaluru and Bengaluru Divisions, converting the extracted timbers into pulpwood [*with bark or debarked*], loading for transportation to the specified factories and unloading there. The Corporation has issued the first Notification for these divisions on 07/08.11.2025. The Corporation did not stipulate any eligibility criteria for those who could participate in the tender process, but it has issued the *Corrigenda* dated 20/21/24.11.2025 stipulating that the tenderers should have had the experience of executing such work, at the minimum, in the three preceding years.



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2. The Corporation has cancelled the tender Notification dated 07/08.11.2025 [these Notifications are called '*the earlier Notification*']. In the pre-bid meeting on 30.12.2025, the Corporation has further stipulated that the Work Experience Certificate as mentioned in the impugned earlier Notifications for all three divisions must be issued by the Forest Department or the Corporation or the Mysore Paper Mills Limited [MPM]. The Corporation has issued the impugned tender Notifications dated 26.12.2025. The details of these impugned Notifications [these Notifications are referred to as '*the impugned Notifications*'] and the eligibility condition stipulated by the Corporation in these Notifications are thus:

Division	The details of the impugned Notifications	The Condition
Shivamogga	No.KA.A.NI.NI/ VI/ ViVya/Shi.Mo./S- 5/call-2/2025- 26/1071	A bidder must furnish a Work-Experience Certificate for at least one year in the last five years.



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<i>Bengaluru</i>	<i>No.KFDC/DM/BNG/S ALES/EXT & TRA/ CALL-2/2025- 26/986</i>	<i>A bidder must furnish a Work-Experience Certificate of one year.</i>
<i>Chikkamagaluru</i>	<i>No.KFDC/DM/CKM/A- 6/2025-26/492/Call-2</i>	<i>A bidder must furnish a Work-Experience Certificate of at least one year in the last five years</i>

3. The Corporation's decision to cancel the earlier Notifications and issue the impugned Notification with these stipulations and the clarification has led to these petitions by those who have submitted their bids in response to the earlier Notification. The details of these petitions are:

<i>Writ Petition No.</i>	<i>Prayer/s</i>	<i>Division</i>
<i>40/2026</i>	<ul style="list-style-type: none"><i>To quash the Tender Notification dated 26.12.2025.</i><i>To direct the respondents to finalize, confirm and give effect to the tender process initiated under E-tender Notification dated 07.11.2025 by issuing the work</i>	<i>Shivamogga</i>



	<i>order in favour of the petitioners as the declared L1 bidder.</i>	
38498/2025	<ul style="list-style-type: none">• <i>To quash the impugned eligibility criteria requiring experience of three years with MPM or the Corporation Limited or the Department as stipulated in the Addendum/Corrigendum¹.</i>• <i>To direct the respondents to permit and allow the petitioners to participate in the impugned tenders based on their overall experience in forestry operations, financial capacity, and technical competence, without insisting on prior experience with the specified Karnataka entities.</i>• <i>To direct the respondents to extend the time for submission of bids and postpone the opening of the technical and financial bids to enable the petitioners to participate in the tender.</i>	<i>Shivamogga</i> <i>Chikkamagaluru</i> <i>Bengaluru</i>

¹ *The reference is to the corrigenda issued to the earlier Notifications which have been cancelled and in the apprehension that this condition would be insisted upon for the finalization of the bids under the impugned Notification dated 26.12.2025.*



39669/2025	<ul style="list-style-type: none">• To quash the Notification dated 26.12.2025 issued by the second respondent.• To direct the respondents to finalize, confirm or give effect to the tender process initiated under the E-Tender Notification dated 08.11.2025 by issuing the work order in favour of the petitioner as the declared L1 bidder.	Bengaluru
41/2026	<ul style="list-style-type: none">• To quash the impugned eligibility criterion requiring "Experience of one year with MPM or the Corporation Limited or the Department.• To direct the respondents to permit and allow the petitioners to participate in the impugned tenders on the basis of their overall experience in forestry operations, financial capacity, and technical competence, without insisting on prior experience with the specified Karnataka entities.• To direct the respondents to extend the time for submission of bids and postpone the opening of	Shivamogga Chikkamagalur Bengaluru



	<i>technical financial bids to enable the petitioners to participate in the tender.</i>	
<i>42/2026</i>	<ul style="list-style-type: none"><i>• To quash the Notification dated 26.12.2025 issued by the respondent No.4.</i><i>• To direct the respondents to finalize, confirm and give effect to the tender process initiated under the E tender notification dated 07.11.2025 by issuing the work order in favour of the petitioners as the declared L1 tenderers.</i>	<i>Chikkamagaluru</i>
<i>748/2026</i>	<ul style="list-style-type: none"><i>• To quash the Notification dated 26.12.2025 issued by the Bengaluru division</i>	<i>Bengaluru</i>

The Corporation's justification to cancel the earlier Notifications and issue the impugned Notifications.

4. The Corporation contends that it is constrained to cancel the Notifications dated 07.11.2025 and 08.11.2025 because the bids offered are not beneficial to it and that the tenderers have offered unscientific prices. The Corporation's decision



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is dated 26.12.2025, and this decision is contained in the Communication of the even date addressed by the Executive Director, Shivamogga to the Divisional Managers in the Bengaluru, Chikkamagaluru, Dharwad and Shivamogga Divisions. The Corporation's justification on why the bids are unscientific and not beneficial is founded in the following assertions. The petitioners seriously contest these assertions, but to capture the context of the dispute at the beginning, the Corporation's reasons are mentioned first.

4.1 **Collusive Bids**: The members of a certain family, acting in cohorts, have offered bids: if one family member has offered the lowest bid for certain plantation units, another family member has offered the lowest bid for the other plantation units. The contract therefore will have to be offered to these family members at prices that are beneficial to them. The Corporation has offered instances of this



collusion in the bids received for certain plantations in Chikkamagaluru and Shivamogga Divisions.

4.2 **Rates irrespective of the Distance:** The tenderers have to quote rates for transportation from the concerned plantation units in the divisions to purchaser factory units either in Harihara or Dandeli. The distance between these plantation units and the factories varies. The tenderers have quoted higher rates for transportation to factories which are closer and lower rates to the factories that are farther. The illustration is in pointing out that they have quoted a higher rate between Rs.100/- and Rs.300/- notwithstanding the distance. This illustration is similar in the bids received for tenders for Shivamogga and Chikkamagaluru Divisions.

4.3 **The lower bids when transportation is to be executed.** The Corporation, while furnishing similar data to justify that there is collusion amongst



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certain family members in offering bids and rates that are unscientific [*despite the distance between the plantation units and the factories*] for the Bangalore Division, has also pointed out that the petitioner in WP No. 39669/2025, who contends that he has offered the lowest price, has quoted higher prices for extraction, debarking and loading and low prices for to same work but with transportation to the factory units.

4.4 The Corporation has furnished data to assert that if this petitioner has quoted rates between Rs.797 and Rs.1287 for extraction, debarking and loading at the plantation units, he has quoted rates between Rs.349/- and Rs.997/- for extraction, debarking, loading and transportation from the plantations unit to the factories. The Corporation contends that the petitioner will have to absorb the cost of transportation and therefore he could not



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have quoted a rate lower than the rate quoted for the work without transportation.

The Arguments for the petitioners in WP No. 40/2026 and 42/2006:

5. These petitioners have offered their bids for certain plantation units in Chikkamagaluru and Shivamogga Divisions, and their grievance is with the Corporation's decision to cancel the earlier Notification/s and to issue the impugned Notification/s. The petitioners seek directions to the Corporation to complete the tender process in terms of the Notifications dated 07.11.2025.

5.1 Sri Ashok Haranahalli, the learned Senior Counsel for the petitioners, submits that this Court must intervene because the decision to cancel the earlier tender Notification does not comply with Section 14 of the Karnataka Transparency in Public Procurements Act, 1999 [for short, '*the KTPP Act*'] and



the decision to cancel the tender is purportedly because the bids offered are unscientific and cartelization and neither is justifiable. The learned Senior Counsel's elaboration is:

[a] The Tender Accepting Authority can indeed can reject all the tenders *i.e.*, before the acceptance of a bid, on the ground such as *[i]* a change in the scope of procurement, *[ii]* failure of expected financial resource, *[iii]* accidents, *[iv]* calamities or *[v]* any other ground which renders the procurement either unnecessary or impossible and file a report with the Procurement Entity, and the Procurement Entity must thereafter communicate the fact of the rejection of the tender to all the tenderers and ensure the same is published in the Karnataka Public Procurement portal.



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[b] The decision to cancel the tender dated 07.11.2025 is by the Corporation's Managing Director, and it is communicated by the Executive Director of Shivamogga Division to the Divisional Managers as seen in the communication dated 26.12.2025. However, this is without due regard to Section 14 of the KTPP Act which stipulates that the decision must be by the Tender Accepting Authority and that there is nothing to justify that the decision is for anyone of the reasons mentioned in such provision.

[c] The decision is not communicated to any of the tenderers because the impugned Notification is issued on the same day. This Court in WP No. 5449/2023, which is decided on



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16.5.2023, has held that if there is non-compliance with Section 14 of the KTPP Act the State's decision to cancel the tender and issue fresh tender will be arbitrary. The reliance is on paragraph 14 which reads as under:

“In the case at hand, when the petitioner was expecting a work order, what comes about is a fresh tender Notification. A caveat, this Court is not pronouncing upon the fact that once a tenderer is declared to be the highest beta or the lowest bidder, the State does not have power to recall the tender; cancel the tender or issue of fresh tender, it does. It should be informed by reasons, and those reasons should be informed to all the tenderers in terms of Section 14 of the Act, failing which, such actions of



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*the state would become
arbitrary.”*

[d] The Corporation cannot contend that the tenderers have quoted unscientific prices only because lower prices are quoted for transportation although a factory unit could be farther than another factory Unit because it also depends on whether the vehicle will have to be plied only for transportation between the plantation units and the factory units or whether the vehicle, on the return journey, could be used by others for transportation. The price therefore is quoted on assessing all circumstances, and this would also be the same where certain prices have been offered by members from a family.



The Arguments for the petitioners in WP No. 39669/2025:

6. Sri R. Subramanya, the learned counsel for the petitioner in W.P.No.39669/2025 who has offered his bids for the tendered work in Bengaluru Division and seeks same relief as by the petitioners in WP No. 40/2026 and 42/2026, adopted these arguments seeking to elaborate on why the Corporation's decision to cancel the earlier Notification [for Bangalore Division] is arbitrary and unreasonable. The learned counsel argues that the Corporation has falsely stated in its Statement of Objections that this petitioner [and others] have quoted lesser rates because of certain prearrangements that undermines the Corporation's interest, and that the petitioner and the others have quoted a lesser price for the work that involves extraction of timber, conversion to pulpwood and



transportation with loading but a higher price when there is no transportation.

6.1 Sri R. Subramanya, relying upon the Corporation's analysis of the bids received in response to the Notification dated 08.11.2025², submits that the petitioner has quoted almost twice the rate for extraction, debarking, loading and transportation and therefore the price quoted by the petitioner only for extraction, debarking and loading [without transportation] is half the amount. He invites the Court's attention to the quotes for the Rayasandra Plantation Unit, Koramangala Plantation Unit and Goramadugu Plantation Unit. The petitioner for these plantation units has quoted the following rates for work with transportation and without the transportation.

² *This analysis is furnished as Annexure - E to the Memorandum of petition, and the Corporation contests the authenticity of this document.*



Rayasandra Plantation Unit	Rs. 797 without transportation	Rs. 1697 <i>and</i> Rs. 2177 for transportation to Kumarapattanam and Dandeli respectively.
Koramangala Plantation Unit	Rs. 757 without transportation	Rs. 1,697 <i>and</i> Rs. 1,999 for transportation to Kumarapattanam and Dandeli respectively.
Guramadugu Plantation Unit	Rs. 6.99 without transportation	Rs. 1.699 <i>and</i> Rs. 1999 for transportation to Kumarapattanam and Dandeli respectively.

The learned Counsel also points out that if the petitioner has quoted rates as afore, the others have quoted much higher rates, and the learned counsel invites this Court's attention to the prices offered by the others for these units. Indeed, the price offered by the others is higher, and rates are high between 40.50%.

6.2 Sri R. Subramanya, while refuting the assertion that the petitioner has offered higher rates for extraction, debarking and loading, and lower rates for the same work with transportation, submits that



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the petitioner has offered certain lower rates because of his understanding that he could purchase the timber at those rates and at his cost he could debark, load and transport it to any of the units. The learned counsel submits that this offer cannot be juxtaposed with the prices quoted to assert that the petitioner has offered unscientific rates.

The petition in W.P.No.748/2026 and the arguments on behalf of these petitioners.

7. This petitioner in his WP No. 36337/2025 has called in question the Corrigendum dated 21.11.2025 [*after the first Notification dated 08.11.2025*] inviting bids for extraction, debarking, loading with and without transportation from the Plantation Units in Bangalore Division. The Corporation has issued this Corrigendum stipulating the eligibility criterion of executing similar work in the three preceding years, at the minimum. This Court has disposed of this petition in W.P.No.



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36337/2025 on 10.12.2025 in the light of the submission made by the Divisional Manager, Bangalore Division [*who was present in person*] that the petitioner will be permitted to participate in the tender process without insisting upon the minimum qualification criteria. This Court has permitted the petitioner to submit his bid in physical format by 12.12.2025 directing the Corporation to process the same.

7.1 Sri Prasanna D P, the learned Counsel for the petitioner, submits that the Corporation, despite a concession before this Court to consider the petitioner's bids along with the bid submitted by the others, has not even opened the petitioners' bids offered and has arbitrarily cancelled the earlier Notification dated 08.11.2025 and issued the impugned Notification dated 26.12.2025. The Learned counsel, who like Sri R Subramanya adopts the arguments of Sri Ashok Haranahalli, submits



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that the arbitrariness is amplified because the decisions to cancel the earlier tender Notification and the issue the impugned Notification is within one hour, and the learned counsel invites this Court's attention to the details as uploaded by the Corporation on the Karnataka Proclamation Portal to substantiate his case.

**The arguments on behalf of the petitioners in
W.P. No.38498/2025 and in W.P.No.41/2026.**

8. The same petitioners have filed these petitions. In WP 38498/2025: they seek quashing of the Corporation's insistence on a Work Experience Certificate issued by MPM/the Corporation/the Forest Department under the *Corrigenda* dated 20/21/24.11.2025 issued to the earlier Notification dated 08.11.2025. These petitioners have also filed the next petition in WP No. 41/2026 calling in question the impugned Notification dated 26.12.2025. The petitioners contend that the Corporation cannot insist that a bidder should have



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work experience of a minimum of 3 years or even 1 year as certified by MPM/by it/ by the Forest Department.

8.1 Sri. Vigneshwara Shastri, the learned Senior Counsel for these petitioners, submits that this Court must intervene with the impugned Notification dated 26.12.2025 and direct the Corporation to extend another opportunity to participate in the tender [*with the extension of time*] and accept a bid received under the earlier Notification dated 08.11.2025 without insisting upon the minimum experience of either three years or even a year. The learned Senior Counsel submits that he does not propose to contend that the Corporation [*a State Government's undertaking*] cannot have a free hand in settling the terms of a tender or that this Court must opine that other terms could be fairer or wiser or more logical, but he will argue for interference and directions as afore because the



Corporation, in insisting upon experience, is violating the *doctrine of 'level playing field'*, a proposition reiterated by the Apex Court in ***Vinishma Technologies Private Limited v. State of Chhattisgarh and another***³.

8.2 Sri. Vigneshwara Shastri argues that the emphasis on this doctrine is to ensure that there is an equal opportunity for everyone to participate for every citizen and that the tender terms are not designed to create arbitrary barriers to favour a few; and the learned Senior Counsel argues that this insistence on past experience for extraction of timber, debarking, conversion into pulpwood, loading and transporting the pulpwood ensures that this work is entrusted to those who are associated in the past with either the Corporation or the Department/MPM and this creates artificial barriers for those who have

³ 2025 SCC OnLine SC 2119



the requisite experience in executing the contracts for these works but for others.

The Arguments on behalf the Corporation/State Government:

9. Sri Shashi Kiran Shetty, the learned Advocate General for both the Corporation and the State Government, contests the assertion that the decision to cancel the earlier Notifications is not by the competent authority and that the stipulations under Section 14 of the KTPP Act are violated. The learned Advocate General, relying upon the affidavit filed by an Executive Director with the Corporation, underscores the following to buttress his arguments on **[a]** the decision being by the competent authority under the KTPP Act, **[b]** the compliance with the requirements of Section 14 of the KTPP Act, and **[c]** the reasons for the decision to cancel the earlier Notifications and issue the impugned Notification.



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**On the decision being by the competent authority
under the KTPP Act.**

9.1 The Corporation has one Executive Director for Pulpwood Wing for all the Divisions, including the Bangalore, Shivamogga and Chikkamagaluru Divisions. The office of the Executive Director, Pulpwood Wing is at Shivamogga, and this is for administrative exigencies. The Divisional Managers of each Division are the Tender Inviting Authority for the respective Divisions, but the Executive Director of the respective Wings is the Tender Accepting Authority. The Procurement Authority will be the Managing Director of the Corporation.

9.2 The concerned Divisional Managers have published both the earlier Notifications, and the impugned Notifications, and the Executive Director, Pulpwood Wing has decided on canceling the earlier tenders after a meeting with the Divisional Managers



in consultation with the Managing Director. This decision process is in accordance with the requirements under Section 14 of the KTPP Act.

On the compliance with Section 14 of the KTPP Act.

9.3 The Tender Accepting Authority can cancel a tender before the acceptance of a bid, amongst other reasons, if there is a failure of expected financial resources or any other ground which renders the procurement either unnecessary or impossible. This power is undeniable in view of section 14[1] of the KTPP Act and in this case the Executive Director, Pulpwood Wing [as the Tender Accepting Authority] has reasoned, after a meeting with the Divisional Managers, why the bids offered collusive and unscientific, and it is only in the light of such reasoning, the Executive Director has cancelled the earlier Notifications and decided on issuing fresh Notifications [the impugned Notifications].



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9.4 The Procurement Authority is placed on an onus to ensure that the decision to cancel the tender is informed to all the tenders and publication of such decision on the Karnataka Public Procurement Portal. The Executive Director, Pulpwood Wing, on 20.12.2025, has decided to cancel the earlier Notifications and issue fresh Notifications, after the formal approval of the Managing Director and this decision is communicated to the Divisional Managers *vide* the Communication dated 26.12.2025.

9.5 This Communication is also uploaded on the Karnataka Public Procurement Portal communicating the reason for the decision to cancel the earlier Notifications. Simultaneously, as part of an automated process on the portal, the EMD is transferred back to each of the tenderers . This process complies with the twin requirements under Section 14 [2] of the KTPP Act.



**On the reasons for the cancellation of the earlier
Notifications and to issue the impugned
Notification.**

9.6 The Executive Director's decision to cancel the earlier Notifications is because of the cartelization that is obvious in the bids offered and this cartelization defeats the Corporation's intendment in calling for bids to maximize the returns in a competent of process with the participation of those who have had the experience in the field. The cartelization is seen in the collusive bids and rates offered irrespective of the distance between the Plantation Units and the Factory Units. The elaboration is in line with the objections that have been captured by this Court in paragraph 4 of this order.

9.7 Sri Shashi Kiran Shetty canvasses that this Court must consider that the settled position is



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that the Government's Procurement Agencies must be given sufficient leeway to decide on the terms of a tender and in deciding to cancel/recall a tender as these decisions are taken in the realm of contracts with the hindsight advantage of experience. The learned Advocate General also canvasses that the Corporation has had difficulties in the past with the Contractors delay in completing the tender work, resulting in loss to the Corporation's exchequer because the purchasing units/factories, with whom contracts are executed to supply pulpwood, seek enforcement of the rights under those contracts in the event there is a delay, and that the Corporation's decision to insist on Experience Certificate must be considered in this context.

9.8 Sri Shashi Kiran Shetty also submits that if this Court finds that the impugned Notifications are not consistent in insisting upon work experience, this Court could also issue directions for a new tender



canceling the impugned Notifications. The Learned Advocate General emphasizes that if this Court directs the Corporation to examine the bids received under the earlier Notifications, the Corporation will be exposed to severe financial loss.

10. The questions for consideration in the circumstances and the submissions presented.

[i] Whether this Court must interfere with the Corporation's decision to cancel the earlier Notifications and issue the impugned Notifications because the decision in this regard is in violation of the requirements under Section 14 of the KTPP Act.

[ii] Whether the Corporation has successfully shown that the tenderers have offered collusive bidding and that they have quoted unscientific rates in response to the earlier Notifications.



[iii] Whether the Corporation is arbitrary and unreasonable in insisting upon experience as an eligibility criterion.

Reg. Question No. 1 & 2

11. This Court must first refer to the Apex Court's decision in ***Subodh Kumar Singh Rathour v. Kolkata Metropolitan Development Authority***⁴. The Apex Court considering the scope of interference with the decision to cancel a tender under Article 226 of the Constitution of India, and while examining whether the action of cancelling the tender is arbitrary or unfair and in consequence of violation of Article 14 of the Constitution, has emphasized the following.

72. *One another way, to assess whether an action complained of could be termed as arbitrary is by way of scrutinising the reasons that have been assigned to such an action. It involves overseeing whether the reasons which have been cited if at all genuinely formed part of the decision-making process or whether they are merely a ruse. All decisions that are taken*

⁴ [2024] 15 SCC 461



must earnestly be in lieu of the reasons and considerations that have been assigned to it. The Court must be mindful of the fact that it is not supposed to delve into every minute details of the reasoning assigned, it need not to go into a detailed exercise of assessing the pros and cons of the reasons itself, but should only see whether the reasons were earnest, genuine and had a rationale with the ultimate decision. What is under scrutiny in judicial review of an action is the decision-making process and whether there is any element of arbitrariness or mala fide.

73. Thus, the question to be answered in such situations is whether the decision was based on valid considerations. This is undertaken to ensure that the reasons assigned were the true motivations behind the action and it involves checking for the presence of any ulterior motives or irrelevant considerations that might have influenced the decision. The approach of the court must be to respect the expertise and discretion of administrative authorities while still protecting against arbitrary and capricious actions.

11.1 The Section 14[1]⁵ of the KTPP Act confers power in the Tender Accepting Authority to

⁵ *Section 14 [1]: The Tender Accepting Authority may at any time before passing an order of acceptance under Section 13 reject all the tenders on the ground of changes in the scope of procurement, failure of anticipated financial resource, accidents, calamities or any other ground as may be prescribed which would render the procurement unnecessary or impossible and report the same to Procurement Entity.*



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cancel the tender, before a bid is accepted, for reasons such as failure of expected financial resources, or any other ground which renders, in the Tender Accepting Authority's opinion, the procurement unnecessary or impossible. Inarguably, a Tender Accepting Authority can cancel a tender if it opines that the expected financial resources cannot be mobilised. It is brought out to this Court's satisfaction that the Executive Director, Pulpwood is the Tender Accepting Authority within the Corporation; that this Executive Director has reasoned why the earlier Notifications must be cancelled. This Court also opines that there is no irregularity merely because the Executive Director has cancelled the earlier Notification with the formal approval of the Managing Director, the Procurement Authority.

11.2 This Court must now consider, as emphasised by the Apex Court in the decision



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Subodh Kumar Singh Rathour [*supra*], whether the reasons assigned to cancel the earlier Notifications are earnest and genuine and whether they have a rationale with the ultimate decision to cancel the earlier Notification. On behalf of the Corporation, two different circumstances are placed on record to justify the decision to recall the earlier Notifications. The Corporation for the recall/ cancellation of the earlier Notifications issued by the Divisional Managers of Shivamogga and Chikkamagaluru Sub-division contends that it is because of the *collusive bids* by the members of certain families and the rates quoted irrespective of the distance between the Plantation Units and Factories; and for the recall of the earlier tender Notification issued by the Divisional Manger, Bengaluru Division, the Corporation contends that, though the petitioner in W.P.No.39669/2025 has offered the lowest bid, his bids are unscientific because he has quoted a higher price for the work tendered but without



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transportation and a lower rate for the tendered work with transportation. It is also submitted that this petitioner, as also the other tenderers, has quoted rates that are not commensurate with the distance.

11.3 The Corporation relies upon a few illustrations to underscore its reasons. It has placed on record that in the Chikkamagaluru Division, Mr. Noorulla Shariff and Mr. Hafizullah Shariff [*two brothers*] have offered the lowest bids for specific Plantations Units. Mr. Noorulla Shariff has offered the lowest bid for Plantation No.1 and 2 and his brother [Mr. Hafizullah Shariff] has offered the lowest bid for Plantation Nos.19 and 30. These two brothers are the only tenderers for these Plantations. Similarly, Mr. Mohammed Ahmed and Mr. Mohammed Gouse, as the only tenderers, have offered the lowest bid for Plantation Nos.4 and 23; and Mr. T. Perumal and Mr.



A. P. Kini⁶ are the only tenderers for Plantation No.5 and 12 and they have offered the lowest bids.

11.4 The similar illustration is given setting out the distance between the two manufacturing units [*M/s. West Course Paper Mills and M/s. Harihara Paper Mills*] to emphasize that the lowest bid is by such as Mr. Noorulla Shariff, Mr. Hafizullah Shariff, Mr. Mohammed Ghouse and Mr. Mohammed Ahamed who have quoted a lower price to transport the harvested pulpwood to the farthest of these factories although it should be otherwise.

11.5 The Apex Court has stipulated that the judicial review should be limited to examining whether the reasons assigned for cancellation are the true motivation behind such a decision and that it is not because of any ulterior motive of irrelevant consideration. The petitioners assert that the quote of

⁶ *These mentioned persons are parties to these petitions.*



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a lesser price for transportation to the farthest factories is only because of business reasons such as their ability to get assignments to transport on the return journey, but this Court is persuaded to opine that the reasons, as illustrated, are relevant and some motive must be inferred only because the petitioners can offer some explanation. The petitioners do not specifically allege any specific ulterior motive in the Corporation's decision to cancel the earlier Notifications.

11.6 The petitioner in W.P.No.39669/2025 asserts that he is consistent in quoting rates for extraction, debarking with and without transportation relying upon the details furnished in Annexure-E. The Corporation contends that Annexure - E is not issued by its office. Crucially, the petitioner does not dispute that he has mentioned additional rates and that these rates are lower than rates that he has quoted for the tendered work with



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transportation and without transportation. The petitioner asserts that he has offered these rates to purchase timber, but it is undisputed that the earlier Notifications [*for Bangalore or the other Divisions*] do not require the tenderers to offer rates for purchasing the extracted pulpwood at the Plantation units. The petitioner has introduced an extraneous element resulting in the opinion that the price offered even by this petitioner is unscientific.

11.7 This petitioner asserts that the Corporation cannot deny that his offer will be the lowest for the respective Plantation Units if the rates offered by him to purchase the extracted pulpwood at the Plantation Units are excluded, and that if the earlier Notifications are recalled when he has quoted the lowest rates, he would be put to hardship. This Court has considered these aspects as well to consider should this petitioner be given any advantage despite quoting rates for purchase which



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are outside the earlier Notifications, which have led to an assessment of an unscientific offer.

11.8 It is trite that the exercise of judicial review is confined to examine whether the decision to cancel a tender is based on valid consideration and not driven by ulterior motive. If the other petitioners have offered bids which have been assessed to be collusive, the petitioner in W.P.No.39669/2025 has offered bids beyond the tender terms. This Court is of the considered view that the Corporation's decision to cancel the earlier Notifications is based on the assessment of there being *collusive bids* and *unscientific quotation of rates* to its financial detriment, and that these would be valid considerations. This Court cannot infer either ulterior motive or invalid consideration, especially when there is no specific allegation of ulterior motive.



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11.9 The next aspect that should be considered to answer these questions [Nos.1 and 2] is about the due compliance with the requirement of Section 14(2)⁷ of the KTPP Act. The Corporation's specific case is in these folds. The decision is taken by the Tender Accepting Authority [*the Executive Director, Pulpwood Division, Shivamogga*] with the formal approval of the Managing Director who represents the Corporation [*the Procurement Authority*]. The decision is taken on 20.12.2025 after a meeting with the Divisional Managers, and this decision, once formal approval is received by the Managing Director, is communicated to the Divisional Managers *vide* the Communication dated 26.12.2025.

11.10 These aspects are borne out by the records as is the fact that the Communication dated 26.12.2025 is uploaded in the Public Procurement

⁷ *The Procurement Entity shall thereafter communicate the fact of the rejection under this section to all the Tenderers and also cause the same to be published in the Karnataka Public Procurement Portal.*



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Portal. Further, the petitioners do not dispute that the deposits furnished along with their submissions have also been re-transferred as part of the automated process on the portal. These circumstances establish that there is due compliance with the requirement of communication of the cancellation/rejection of all the bids and the publication thereof on the portal. As such, this Court cannot infer any violation of the statutory provisions to hold that the decision is arbitrary. The question Nos.1 and 2 are answered accordingly.

Reg. Question No.3:

12.1 The Corporation has issued the impugned Notifications for similar work. The petitioners' grievance with this insistence is pivoted on two assertions. The first assertion is that the Corporation has stipulated that such certificates must be issued either by it or the department or MPM. The context



for this is the Corrigenda dated 20/21/24.11.2025 to the earlier Notifications. This Corrigendum is indeed issued stipulating that the Work Experience Certificate for a minimum of three years must be from one of the three aforementioned, but it is undisputed that this is not part of the impugned Notifications. As such, this Court must observe that there cannot be any order interfering with the impugned Notifications on this ground.

12.2 The next assertion is the insistence on one-year work experience violates the principle of '*a fair playing field*' and that it is inconsistent. The Corporation's justification is based on its experience with the contractors allegedly delaying the execution of the work exposing the Corporation to consequences because of the claims of the Factory Units who are assured of a timely supply of pulpwood. This Court opines that the Corporation must have leeway in finalizing the terms without



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offending the principles of fairness and equal opportunity, and this Court will not substitute the terms only because the terms could be fairer, wiser, or more logical. The Corporation must have the advantage of hindsight experience in deciding whether the participation should be open to all or only to those who have some experience as certified by the concerned.

12.3 The Corporation's term across the impugned Notification on Work Experience Certificate as first mentioned above is:

<i>Division</i>	<i>The Condition</i>
<i>Shivamogga</i>	<i>A bidder must furnish a Work-Experience Certificate for at least one year in the last five years.</i>
<i>Bengaluru</i>	<i>A bidder must furnish a Work-Experience Certificate of one year.</i>
<i>Chikkamagaluru</i>	<i>A bidder must furnish a Work-Experience Certificate of at least one year in the last five years</i>



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12.4 It is obvious from reading these terms that the Corporation has not spelt out consistently that the work experience must be over five years or over a much longer period [*or even a shorter period*]. This infuses an element of arbitrariness. The submissions on behalf of the Corporation that it will issue fresh Notifications is considered, in view of this Court's opinion that the Corporation cannot proceed further with the impugned Notifications but must issue fresh tender Notifications calling for fresh tenders. The ground as against the inconsistent terms on the Work Experience are specific to W.P.No.38498/2025 and W.P.No.41/2026, but because of the reasons assigned, all the petitions must be allowed on this short ground. The question No.3 is answered accordingly. In the light of the afore, the following:



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ORDER

[a] The writ petitions are allowed-in-part quashing the following impugned Notifications dated 26.12.2025:

<i>Division</i>	<i>Tender Notification Number</i>
<i>Shivamogga</i>	<i>No.KA.A.NI.NI/ VI/ViVya/Shi.Mo./S-5/call-2/2025-26/1071</i>
<i>Bengaluru</i>	<i>No.KFDC/DM/BNG/SALES/EXT&TR A/CALL-2/2025-26/986</i>
<i>Chikkamagaluru</i>	<i>No.KFDC/DM/CKM/A-6/2025-26/492/Call-2</i>

[b] The Corporation is directed to re-issue the tender Notifications calling for fresh bids for Shivamogga, Bengaluru and Chikkamagaluru divisions.

All the pending applications stand disposed of .

SD/-
(B M SHYAM PRASAD)
JUDGE

SA*