

IN THE HIGH COURT OF KARNATAKA

January 13, 2010

AJIT J. GUNJAL, J.

TARGET DETECTIVE AND SECURITY FORCE, DAVANAGERE

v

STATE OF KARNATAKA AND OTHERS

Writ Petition No. 16565 of 2008 (GM-TEN).

The Court, made the following:

ORDER

Petitioner is an establishment which started functioning in the year 1986 having its organisation for providing employees in various services and officers and has been doing the said work which was entrusted to them. A tender was floated by the respondent on 17-11-2008 for providing service of personnel of Data Entry Operators to the District Project Offices for the year 2009-2010 in respect of seven districts. The petitioner was also one of the participants in the tender. The last date for submitting the tender was 25-11-2008. The 4th respondent was also one of the participants. The tender authority has accepted the tender of respondent 4 and a contract is awarded in its favour. The said awarding of contract is questioned in this petition.

2. Apparently, petitioner has an alternative remedy of appeal under Section 16 of the Karnataka Transparency in Public Procurements Act, 1999 (for short, 'the Act') and the same is not availed by the petitioner.

3. On merits it is to be noticed that the tender was for a period of one year which would come to an end on 31-3-2010. Apparently, the petitioner did not have the benefit of an interim order during the pendency of the proceedings. No useful purpose would be served at this stage by examining the matter any further by this Court. Hence the following:

ORDER

Liberty is reserved to the petitioner to avail the alternative remedy of appeal under Section 16 of the Act. Accordingly, petition stands disposed of.

Sri Narendra Prasad, learned High Court Government Pleader appearing for the respondents is permitted to file memo of appearance within four weeks.