



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 29<sup>TH</sup> DAY OF SEPTEMBER, 2023**

**BEFORE**

**THE HON'BLE MR JUSTICE R DEVDAS**

**WRIT PETITION NO.20784 OF 2022 (GM-TEN)**

**C/W**

**WRIT PETITION NO.21579 OF 2022 (GM-TEN)**

**IN W.P. NO. 20784 OF 2022**

**BETWEEN:**

1. SRI VINAYAKA ENTERPRISES  
NO. 67,2ND MAIN,  
BEHIDN GANAPATI TEMPLE,  
VIJAYASHREEPURA,  
MYSURU - 570 006,  
REPRESENTED BY ITS;  
PROPRIETOR SRI SATHYA PRAMOD  
(REG. UNDER KARNATAKA SHOPS & COMMERCIAL  
ESTABLISHMENT ACT 1961)
2. KUBERAKSHI HOTEL PVT. LTD.  
BASEMENT NO. 90/6,  
MUNNEKOLALU VILLAGE,  
VARTHUR HOBLI, MARATHALLI RING ROAD,  
BENGALURU - 560 037,  
REG UNDER COMPANY ACT 2013 AND  
(INCORPORATED RULES 2014)  
REPRESENTED BY ITS M.D SRI. MITHUN.
3. M/S ASHRAYA LABELS,  
NO. 69, KOORGALLI INDUSTRIAL AREA,  
ILAWALA MYSORE, MYSORE - 570 027.  
BY ITS PROPRIETOR; SRI. PAVAN KUMAR  
(KARNATAKA SHOPS AND COMMERCIAL  
ESTABLISHMENT ACT 1961)

...PETITIONERS

(BY SRI. SANGAMESH R B., ADVOCATE)



**AND:**

1. STATE OF KARNATAKA,  
DEPT. OF MEDICAL EDUCATION,  
M.S BUILDING, DR. AMBEDKAR VEEDHI,  
BENGALURU - 01  
BY ITS SECRETARY
2. THE DIRECTOR AND DEAN  
MYSURU MEDICAL EDUCATION AND  
RESEARCH CENTRE  
IRWIN ROAD,  
MYSURU - 570 001.

...RESPONDENTS

(BY SRI.KIRAN KUMAR HCGP FOR R1, SRI. CHANDRAKANTH R  
GOULAY., ADVOCATE FOR R2)

THIS PETITION IS FILED UNDER ARTICLES 226 AND 227  
OF THE CONSTITUTION OF INDIA QUASH THE CONDITION  
NO.21 INCLUDED IN THE TENDER NOTIFICATION AND ALSO  
SAME CONDITION IS MENTIONED IN THE FINANCIAL BID IN  
THE IMPUGNED TENDER NOTIFICATION DTD 19.9.2021  
BEARING NO.SA.RA.BA/V.VA/KRA.RA.AA/79/2022-23, ISSUED  
BY THE R2 ANNEXURE-A AND ETC.,

**IN W.P. NO. 21579 OF 2022:**

**BETWEEN:**

1. VINAYAKA ENTERPRISES  
NO.67, 2ND MAIN,  
BEHIND GANAPATI TEMPLE,  
VIJAYASHREEPURA,  
MYSURU - 570 006,  
REPRESENTED BY ITS PROPRIETOR,  
SRI SATHYA PRAMOD,  
AGED 38 YEARS,  
SON OF M. RAMEGOWDA,  
(SHOPS AND COMMERCIAL ESTABLISHED ACT 1961)
2. KUBEREKSHI HOTELS PVT. LTD.  
COMPANY REGISTERED UNDER THE COMPANIES  
ACT, 2013 (18 OR 2013)  
UNDER SEC 17(2)(1),



NO.410, 2ND FLOOR,  
VIJAYANATHA ARCADE  
GURUSEVABHOMA NAGAR,  
ITI LAYOUT, 3RD PHASE,  
OPP. GOPALAN ARCADE,  
KEBGERI HUBLI, BENGALURU - 560 039.  
BY ITS DIRECTOR,  
SMT. SARASWATHAMMA.

3. M/S. AHSRAYA LABELS,  
NO.69, KOORGALLI INDUSTRIAL AREA,  
ILWALA, MYSURU - 570 027.  
REPRESENTED BY ITS PROPRIETOR,  
PAWAN KUMAR,  
SON OF P.J. SHIVANNA,  
(COMPANIE ACT SEC 7(2)(1) AND  
COMPANIES ACT 2013)

...PETITIONERS

(BY SRI. SANGAMESH R. B., ADVOCATE)

**AND:**

1. STATE OF KARNATAKA,  
MEDICAL EDUCATION DEPARTMENT,  
MS BUILDING,  
DR. AMBEDKAR VEEDHI,  
BENGALURU - 560 001,  
BY ITS SECRETARY.
2. THE DIRECTOR AND DEAN,  
MYSURU MEDICAL COLLEGE AND RESEARCH  
INSTITUTE, OFFICE OF DIRECTOR,  
MYSURU - 570 015.

...RESPONDENTS

(BY SRI.KIRAN KUMAR HCGP, ADVOCATE FOR R1,  
SRI. CHANDRAKANTH R. GOULAY ADVOCATE FOR R2)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226  
AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO  
QUASH THE IMPUGNED TENDER NOTIFICATION DTD.27.9.2022  
ISSUED BY THE R-2 BEARING NUMBER  
SA.RA.BA/VI.VA.CHE.AA/86/2022-23 VIDE ANNEXUER-A AND  
ETC.,



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

**ORDER**

**R.DEVDAS J., (ORAL)**

Learned counsel for the respondent No.2 has filed a memo dated 05.09.2023 seeking disposal of the writ petitions. However, learned counsel for the petitioners submits that the term of the tender impugned in these writ petitions has elapsed and therefore, prayer made in writ petitions does not survive for consideration.

2. In view of the above, the writ petitions stand disposed of as nothing survives for consideration in the writ petitions.

**Sd/-  
JUDGE**

DR  
List No.: 1 Sl No.: 27