HC-KAR

NC: 2025:KHC-K:3419
WP No. 202958 of 2024

IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 26TH DAY OF JUNE, 2025

BEFORE

THE HON'BLE MR. JUSTICE M.I.ARUN

WRIT PETITION NO.202958 OF 2024 (GM-TEN)

BETWEEN:

MAHALAKSHMI MAHILA ABHIVRUDHI
SEVA SAMASTHE YADGIRI
REP: BY ITS PRESIDENT,
SMT. SHANTA W/O BAGESH,
AGED ABOUT 40 YEARS, R/AT: 5-6-62/1,
NEAR PWD QUARTERS, YADGIRI-585201.

...PETITIONER

(BY SRI. B.C.JAKA, ADVOCATE)

AND:

Digitally signed by VARSHA N RASALKAR
Location: HIGH COURT OF KARNATAKA

1. THE SUPERINTENDENT OF POLICE,
   OFFICE OF THE ADDL. DIRECTOR
   GENERAL OF POLICE
   AND INSPECTOR GENERAL OF PRISONS,
   #4, SESHADRI ROAD,
   BENGALURU-560009.

2. THE SUPERINTENDENT OF POLICE,
   CENTRAL PRISON,
   KALABURAGI-585105.

3. THE SUPERINTENDENT OF POLICE
   TALUKA SUB-JAIL SEDAM,
   DIST. KALABURAGI-585222.

...RESPONDENTS

(BY SRI. GOPALKRISHNA B. YADAV, HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE A WRIT IN THE NATURE OF CERTIORARI THEREBY QUASHING THE IMPUGNED ORDER/ LETTER DATED 09.10.2024 IN NO.ADM-2/CR-16/2024-25, ISSUED BY THE 1ST RESPONDENT VIDE ANNEXURE-A, OF THE WRIT PETITION.

THIS PETITION, COMING ON FOR PRELIMINARY HEARING IN 'B' GROUP THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE M.I.ARUN

ORAL ORDER

(PER: HON'BLE MR. JUSTICE M.I.ARUN)

The petitioner in the instant writ petition has challenged the decision of the State to procure cooked food for prisoners in Sedam jail. It is seen that State has taken a decision to establish a kitchen and an RO drinking water facility in the jail premises itself to meet the necessary food requirements of its inmates. The notification also envisages procuring the cooked food till such kitchen and RO drinking water facility is envisaged from the open market by floating tenders.

2. Learned counsel for the petitioner in the course of arguments submits that he is not challenging the establishment of kitchen and RO drinking water facility, but is limiting his arguments with regard to procurement of food and drinking water on temporary basis by way of a tender till establishment of the envisaged kitchen and RO drinking water facility. It is submitted by him that he is the sole tenderer for even the temporary supply of food and drinking water purposes and the respondents instead of awarding the tender to it, with ulterior motive are calling for tender once again.

3. Learned High Court Government Pleader upon instructions submits that the rate quoted by the petitioner was very high compared to the prevailing market price and for that reason and also for the reason that the petitioner was the sole tenderer and the market price for the food and the drinking water is much lower, it was decided to call for a fresh tender. However, learned High Court Government Pleader candidly admits that at present

petitioner is the only entity who is supplying the necessary food and they would procure the same from the petitioner till fresh tender is called and the same is finalized pending construction of kitchen and RO drinking water facility.

4. The learned counsel for the petitioner submits that he is willing to participate in the tender to be called by the respondents and further submits that he is willing to continue supply of the required material till such tender is finalized or kitchen and RO drinking water facility is established in the jail as envisaged.

5. For the aforementioned reasons, the writ petition is hereby disposed of with a direction to respondent No.2 to finalize the tender for supply of food and water to the inmates of the jail as envisaged in Annexure-A to the writ petition, as expediently as possible and also take necessary steps to construct the kitchen and RO drinking water facility as contemplated, as expeditiously as possible.

6. Pending construction of kitchen and RO drinking water facility, if respondent No.2 is desirous of procuring the food by calling for tenders, he is at liberty to do so and till such supplier is finalized, the present arrangement of petitioner supplying the food shall continue.

Sd/-
(M.I.ARUN)
JUDGE

VNR
List No.: 1 Sl No.: 87
CT;SI