

N Kumar vs Union of India

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Court : Karnataka Orders

Decided On : May-14-2026

Judge : S.R.Krishna Kumar

Appeal No. : WP/15256/2026

Appellant : N Kumar

Respondent : Union of India

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF MAY, 2026 BEFORE THE HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR WRIT PETITION NO. 15256 OF 2026 (GM-RES) BETWEEN: N KUMAR S/O SRI NARASIMHULU NAIDU AGED ABOUT 56 YEARS RESIDING AT NO.21, 4TH CROSS 5TH BLOCK, BSK 3RD STAGE BANGALORE- 560 085 PETITIONER (BY SRI.KIRAN S. JAVALI, SENIOR COUNSEL APPEARING FOR SRI.SHIVAJI H. MANE, ADVOCATE)

AND Digitally signed 1. UNION OF INDIA by CHANDANA BM BY MINISTRY OF RAILWAYS Location: High 256-A, RAISINA ROAD, RAJPATH AREA Court of

Karnataka CENTRAL SECRETARIAT NEW DELHI - 110 001 REP. BY ITS SECRETARY

2. UNION OF INDIA BY MINISTRY OF RAILWAYS EDCE (G), RAILWAY BOARD ROOM NO.156-C RAIL BHAWAN, RAISINA ROAD NEW DELHI - 110 001 -2- REP. BY ITS EXECUTIVE DIRECTOR CIVIL ENGINEERING (G)

3. UNION OF INDIA

DEPUTY CHIEF ENGINEER / WORKS / BNS OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER (CONSTRUCITON) NO.18, MILLERS ROAD BENGALURU- 560 006 REP. BY ITS GENERAL MANAGER RESPONDENTS (BY SRI.VINAY VENUGOPAL, SENIOR PANEL COUNSEL) THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OR ORDER OR DIRECTION IN THE NATURE OF CERTIORARI OR ANY OTHER WRIT IN THE LIKE NATURE QUASHING THE IMPUGNED COMMUNICATION/LETTER BEARING BY NO. THE W.148/CN/BNC/BB/CBI/KPR-venu (JV) ISSUED RESPONDENT NO.3 AND THE MEMORANDUM ALONG WITH STATEMENT OF CHARGES/ MISCONDUCT ISSUED AS AGAINST THE PETITIONER DATED.22.04.2026 BY RESPONDENT NO.3 INsofar AS IT PERTAINS TO THE PETITIONER AS PER ANNEXURE-A AND ETC. THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER: -3- CORAM: HON'BLE MR. JUSTICE S.R.KRISHNA KUMAR

ORAL ORDER

In this petition, the petitioner seeks the following reliefs:

"a) Issue a writ or order or direction in the nature of Certiorari or any other writ quashing the impugned Communication/letter bearing No.W.148/CN/BNC/BB/CBI/KPR-venu (JV) issued by the Respondent No.3 and the Memorandum along with Statement of Charges/Misconduct issued as against the Petitioner dated:22.04.2026 by Respondent No.3 insofar as it pertains to the Petitioner as per Annexure-A and

b) Grant such other relief/s that this Hon'ble Court deems fit and proper in the facts and circumstances of the case, in the interest of justice and equity."

2. Heard learned Senior Counsel for the petitioner, learned counsel for the respondents and perused the material on record.

3. In addition to reiterating the various contentions urged

in the petition and referring to the material on record, learned Senior Counsel for the petitioner invited my attention to the -4- impugned Communication at Annexure-A dated 04.05.2026 issued by the respondents in order to point out that despite interim order passed by this Court in Crl.P.Nos.12381 and 12232 of 2024, the respondents have issued the impugned Communication purporting to blacklist the petitioner by way of a premeditated decision without providing sufficient or reasonable opportunity to the petitioner thereby violating principles of natural justice and as such the impugned Communication deserves to be quashed.

4. Per contra, the learned Senior Counsel for the

respondents submits that the impugned Communication merely call upon the petitioner to submit his representation on or before 10.06.2026 and if the petitioner were to submit a reply/representation along with relevant documents, the respondents would consider the same and take appropriate decisions/pass appropriate orders in accordance with law.

5. Before adverting to the rival contentions, it would be

necessary to extract the impugned Communication at Annexure-A: -5- "SOUTH WESTERN RAILWAY Office of the Chief Administrative Officer (Construction) 18, Millers Road, Bangalore - 560 006 No.W.148/CN/BNC/BB/CBI/KPR-venu (JV) Date: 04.05.2026 Shri N. Kumar No.21, 4th Cross 5th Block, BSK 3rd Stage Bangalore - 560 085.. Sir/s, Sub: Banning of Business dealings with Shri P. Venugopal Reddy

(individual) and M/s. KPR - Venu (JV firm), Bangalore, M/s. KPR Constructions (Partnership firm) and all their allied partners / firms / sister concerns.

Ref: i) Contract agreement no.CAO/CN/BNC/73732/A/115/III/2014 dated 18.03.2014. ii) Railway Board's letter no.2026/Works-III/CBL/08/M/s. KPR- VENU (JV)-Bangalore dtd:22.04.2026. <<<<<<>>>> Please find enclosed herewith a copy of the Memorandum and statement of charges/misconduct duly signed by EDCE(G)/Railway Board. The reply/representation, if any, in this regard should be made in

writing to the EDCE(G)/Railway Board through the General Manager/South Western Railway not later than 10.06.2026. In case no representation is received by the above-mentioned date, it will be presumed that you have no representation to make against the above action and a final decision shall be taken on the merits of the case. -6-

If desired, you can make a request for providing an opportunity for personal hearing in Railway Board's office. Receipt of this letter may please be acknowledged. Encl: 1) Copy of Memorandum (01 page) 2) Statement of charges/misconduct (05 pages) (Y. Yogananda Babu) Deputy Chief Engineer/Works/BNC for Chief Administrative Officer/CN Bangalore Cantt."

As could be seen from the impugned Communication, the respondents have called upon the petitioner to submit a reply/representation on or before 10.06.2026.

6. It is an undisputed fact that the petitioner has not

submitted the representation/reply as on today. Under these circumstances, I deem it just and appropriate to dispose of this petition directing the petitioner to submit a representation/reply along with relevant documents, if any to the respondents on or before 10.06.2026.

7. It is further directed that in pursuance of the

petitioner submitting reply/representation along with relevant -7- documents as stated supra, the respondents shall consider the same and take appropriate decisions/pass appropriate orders after providing sufficient and reasonable opportunity to the petitioner and in accordance with law. It is further directed that

the respondents shall not take any precipitative/coercive steps against the petitioner until they take appropriate decisions/pass appropriate orders as stated supra. Subject to the aforesaid directions, the writ petition stands disposed of. Sd/- (S.R.KRISHNA KUMAR) JUDGE MKM List No.: 2 SI No.: 71

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