

IN THE HIGH COURT OF KARNATAKA AT BANGALORE
Dated this the 7th Day of September, 2001

Present

THE HON'BLE MR N K JAIN, CHIEF JUSTICE
&
THE HON'BLE MR JUSTICE R GURURAJAN

Writ Appeal 4227 - 4228 / 2001 (MV)

Between:

1. Sri Jyotin C Gandhi S/o C A Gandhi
Partner, M/s Shamalsha Girdhari Co.
'Shivam Building;
Opp: Maxan Super Centre
D S Marg, Meeramar
Panaji - Goa 403 001
2. Sri Mahesh C Gandhi S/o C Gandhi
C/o M/s Shamalsha Girdhari Co.
'Shivam Building', Opp: Maxan Super
Centre, D S marg, Meeramar
Panaji - Goa 403 001

Appellants

(By Sri D L N Road, Adv.)

And

1. The Inspector Of Motor Vehicles
O/o the RTO, Gadag
2. The Inspector of Motor Vehicles
O/o the RTO, Dharwad
3. The Regional Transport Officer
Dharwad District, Dharwad

Respondents

(Sri Y V Parthasarathy, GA)

This Writ Appeal is filed under Sec.4 of the High Court Act praying to set aside the order dated 12.6.01 in WP 5107-5108/2001.

This Writ Appeal coming on for Preliminary Hearing this day, Chief Justice delivered the following:

JUDGMENT

This Writ Appeal is directed against the order dated 12.6.2001 in WP 5107-5108/2001 passed by the learned Single Judge disposing of the writ petition.

Heard the learned counsel for the parties and perused the material on record.

In the instant case, the apprehension of the appellants is that the authorities will take action as per annexures F and G (Enquiry Reports dated 23.1.2001) without issuing notice and without giving an opportunity of hearing to the appellants. The apprehension expressed is uncalled for as no orders have been passed; the vehicle has already been released and the bank guarantee has been kept alive for one year. In view of this, we find no error of law or illegality in the order of the learned Judge so as to call for interference. However, the Transport Authority shall issue notice to the parties before taking any action as per law.

INL

With the above observation, the appeals are disposed of.

17/12/20

Sd/-

Chief Justice

An

Sd/- JUDGE

Not An Official Copy