

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 26TH DAY OF DECEMBER 2001

BEFORE

THE HON'BLE MR. JUSTICE R. GURURAJAN

WRIT PETITION NOS.48201-48202/2001 (MV)

BETWEEN:

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

..PETITIONERS

(By Sri D.L.N. Rao, Adv.)

AND:

- 1. The Inspector of Motor Vehicles,  
The Office of R.T.O. Gadag.
- 2. The Inspector of Motor Vehicles,  
The Office of R.T.O., Dharwad.
- 3. The Taxation Authority and  
Regional Transport Officer,  
Dharwad District, Dharwad.

..RESPONDENTS

(By Sri G.K.Bhat, GA)

These Writ Petitions are filed under Articles 226 & 227 of the Constitution of India praying to quash the orders dt. 30.11.2001 by R3 vide Ann.M and M1.

These Writ Petitions are coming on for Prly. Hg. this day, the Court made the following:-

..ORDER..

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ORDER

Heard the learned counsel for the petitioners.

2. Petitioners are challenging the orders (Annexures-M & M-1) which are passed by the Regional Transport Officer, Dharwad. The petitioner questions these two orders on various grounds. Petitioners state that no useful purpose would be served on filing of an appeal.

3. Admittedly, Annexures-M & M-1 are appealable in terms of Section 15 of the Karnataka Motor Vehicles Taxation Act, 1957. Hence, I am of the view that the petitioner is to be relegated to the appealable remedy, by not entertaining this petition. Learned counsel for the petitioners refer to the formation of the squad by the respondents and states that this proves that no useful purpose would be served in approaching the Appellate Authority. I am unable to accept this submission. A mere direction by

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