



NC: 2026:KHC:3395-DB
WA No. 4533 of 2017
C/W WA No. 4324 of 2017
WA No. 4328 of 2017
AND 11 OTHERS

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF JANUARY, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

WRIT APPEAL NO. 4533 OF 2017 (MV)

C/W

WRIT APPEAL NO. 4324 OF 2017

WRIT APPEAL NO. 4328 OF 2017

WRIT APPEAL NO. 4349 OF 2017

WRIT APPEAL NO. 4352 OF 2017

WRIT APPEAL NO. 4361 OF 2017

WRIT APPEAL NO. 4365 OF 2017

WRIT APPEAL NO. 4406 OF 2017

WRIT APPEAL NO. 4409 OF 2017

WRIT APPEAL NO. 4448 OF 2017

WRIT APPEAL NO. 4534 OF 2017

WRIT APPEAL NO. 4544 OF 2017

WRIT APPEAL NO. 4545 OF 2017

WRIT APPEAL NO. 4588 OF 2017

IN WA No. 4533/2017

BETWEEN:

1. SRI A.S.MANJUNATH,
AGED ABOUT 49 YEARS,
S/O SRI N.SRIRAMA REDDY,
BALAJI BUS SERVICE,
ALAVATTA,
SRINIVASAPURA TALUK,
KOLAR DISTRICT,
PIN : 563 135.

...APPELLANT

(BY SRI.B.R.SUNDARA RAJA GUPTA., ADVOCATE)





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AND:

1. THE TRANSPORT AUTHORITY,
BY ITS SECRETARY,
DR.AMBEDKAR VEEDHI,
BENGALURU - 560 001.

2. M/S. KARNATAKA STATE ROAD
TRANSPORT CORPORATION,
KENGAL HANUMANTHAIHAH ROAD,
BENGALURU - 560 027,
BY ITS MANAGING DIRECTOR.

3. THE ANDHRA PRADESH STATE
ROAD TRANSPORT CORPORATION,
MUSHIRABAD, HYDERABAD,
ANDRA PRADESH.

...RESPONDENTS

(BY SRI.T.HAREESH BHANDARY., ADVOCATE FOR R2;
R1 & 3 - SERVED AND UNREPRESENTED)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE
THE ORDER PASSED IN WRIT PETITION NO.18775/2011
DATED 12.06.2017.

IN WA NO. 4324/2017

BETWEEN:

1. R. V. BALAJI
AGED ABOUT 56 YEARS

2. R. V. SUBHASH CHANDRA BOSE
AGED ABOUT 62 YEARS



SONS OF LATE R.VENKATESHAM CHETTY,
PROPRIETORS,
SRI VENKATESHWARA MOTOR SERVICE,
GANDHINAGAR,
KOLAR,
PIN -574 104.

THE LRS OF LATE R.VENKATESHAM CHETTY
AND THE CAUSE TITLE WAS
AMENDED ON 14-07-2008

...APPELLANTS

(BY SRI.M.E.NAGESH., ADVOCATE)

AND:

1. THE KARNATAKA STATE TRANSPORT AUTHORITY,
MULTISTORYED BUILDINGS,
DR.AMBEDKAR VEEDHI,
BENGALURU - 560 001.
NOW AT TTMC BUILDING,
K.H.ROAD, BENGALURU,
PIN -560 027
BY ITS SECRETARY.
2. KARNATAKA STATE ROAD
TRANSPORT CORPORATION,
CENTRAL OFFICE, K.H.ROAD,
BENGALURU
PIN 560 027
BY ITS MANAGING DIRECTOR.
3. THE ANDHRA PRADESH STATE
ROAD TRANSPORT CORPORATION,
MUSHIRABAD,



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HYDERABAD,
ANDHRA PRADESH,
BY ITS MANAGING DIRECTOR,
PIN - 586 001.

...RESPONDENTS

(BY SMT.PRATHIBA.R.K., AGA FOR R1;
SRI.HAREESH BHANDARY.T., ADVOCATE FOR R2;
R3 - SERVED AND UNREPRESENTED)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE
THE ORDER PASSED IN WRIT PETITION NO.14926/2005
DATED 12.06.2017.

IN WA NO. 4328/2017

BETWEEN:

SRI.V.GOPI
S/O. SRI J.VENKATACHALAMAIAH,
AGED ABOUT 59 YEARS,
R/A BAMBOO BAZAAR ROAD,
CHINTAMANI - 563 125,
KOLAR DISTRICT.

...APPELLANT

(BY SRI. B.R.SUNDARA RAJA GUPTA., ADVOCATE)

AND:

1. THE KARNATAKA STATE TRANSPORT AUTHORITY,
M.S. BUILDINGS,
DR. AMBEDKAR VEEDHI,
BENGALURU, BY ITS SECRETARY.
PIN : 560 001.



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2. THE SECRETARY,
KARNATAKA STATE TRANSPORT AUTHORITY,
M.S.BUILDINGS,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001.

3. THE KARNATAKA STATE ROAD
TRANSPORT CORPORATION,
CENTRAL OFFICES,
BENGALURU - 560 027,
BY ITS MANAGING DIRECTOR.

4. ANDHRA PRADESH STATE ROAD
TRANSPORT CORPORATION,
MUSHEERABAD, HYDERABAD,
REPRESENTED BY ITS
MANAGING DIRECTOR - 500 001.

5. SRI B.A. RAMAMOCHAN,
S/O SRI. B.V. ASHWATHAIAH,
MAJOR, PROPRIETOR,
VENKATESHWARA MOTOR SERVICE,
CHINTAMANI,
KOLAR DISTRICT - 563 125.

6. SMT. R.S. RAJALAKSHMAMMA,
MAJOR BY AGE, 46 YEARS,
BUS OPERATOR,
CHINTAMANI,
KOLAR DISTRICT - 563 125.

7. SMT. M. LEELAVATHI,
W/O SRI. K. MUNIRAJU,
MAJOR BY AGE, 42 YEARS,
KAMALAVARIPALLI,



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KASHETTIPALLI,
SRINIVASAPURA TALUK,
KOLAR DISTRICT - 563 125.

8. MR. KUTHUBDIN KHAN,
S/O LATE MR. AYUB KHAN,
MAJOR BY AGE, 59 YEARS,
A.T.S. BUS SERVICE,
CHINTAMANI - 563 125,
KOLAR DISTRICT.
9. SRI N.RAMESH KUMAR,
S/O SRI H.NARAYANA GOWDA,
MAJOR BY AGE, 48 YEARS,
"VENKATESHWARA NILAYA",
M.B. ROAD, KOLAR - 563 125.

...RESPONDENTS

(BY SMT.PRATHIBA.R.K., AGA FOR R1 & 2;
SRI.HAREESH BHANDARY.T., ADVOCATE FOR R3;
R4, 5, 7 - SERVED AND UNREPRESENTED;
V/O DATED 12.02.2018, NOTICE TO R6 IS HELD
SUFFICIENT)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE
THE ORDER PASSED IN WRIT PETITIONS NO.2011-2019/2005
DATED 12.06.2017.

IN WA NO. 4349/2017

BETWEEN:

SRI A.S.MANJUNATH,
S/O SRI N.SRIRAMA REDDY,
AGED ABOUT 49 YEARS,
BALAJI BUS SERVICE,



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ALAVATTI,
SRINIVASAPURA TALUK,
KOLAR DISTRICT - 563 135.

...APPELLANT

(BY SRI. B R SUNDARA RAJA GUPTA., ADVOCATE)

AND:

1. THE KARNATAKA STATE TRANSPORT AUTHORITY,
MULTISTOREYED BUILDINGS,
DR.AMBEDKAR VEEDHI,
BENGALURU - 560 001,
BY ITS SECRETARY.
2. THE KARNATAKA STATE ROAD TRANSPORT
CORPORATION,
KENGAL HANUMANTHAIAH ROAD,
BENGALURU - 560 027,
BY ITS MANAGING DIRECTOR.
3. SRI K.P.KRISHNAMA RAJU,
S/O SRI PURUSHOTHAMA RAJU,
MAJOR BY AGE, 39 YEARS,
1ST MAIN, GULPET, KOLAR - 563 135.
4. SRI R.N.NAGARAJA REDDY,
S/O SRI R.B.NARAYANA REDDY,
PROPRIETOR,
R.G.N.R MOTOR SERVICE,
ROYALPAD,
SRINIVASAPURA TALUK,
KOLAR DISTRICT - 563 135.

...RESPONDENTS

(BY SMT.PRATHIBA.R.K., AGA FOR R1;
SRI.T.HAREESH BHANDARY., ADVOATE FOR R2;



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SRI.A.SRIKANTH., ADVOCATE FOR R3;
SRI.A.S.PARASARA KUMAR., ADVOCATE FOR R4)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE
THE ORDER PASSED IN WRIT PETITION NO.14173-175/2011
DATED 12.06.2017.

IN WA NO. 4352/2017

BETWEEN:

1. SRIYUTHS J.S.MANJUNATH,
AGED ABOUT 26 YEARS,
S/O SRI SRINIVASAIAH,
2. J.S.ARJUN,
AGED ABOUT 28 YEARS,
S/O SRI SRINIVASAIAH,
MANJUNATHA RICE AND FLOOR MILLS,
BAMBOO BAZAAR,
CHINTAMANI, CHICKBALLAPURA DISTRICT
PIN: 563 125.

...APPELLANTS

(BY SRI. B.R.SUNDARA RAJA GUPTA., ADVOCATE)

AND:

1. THE KARNATAKA STATE TRANSPORT AUTHORITY,
BENGALURU,
BY ITS SECRETARY,
PIN - 560 001.
2. THE SECRETARY,
KARNATAKA STATE TRANSPORT AUTHORITY,
BENGALURU, PIN - 560 001.



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3. THE KARNATAKA STATE ROAD TRANSPORT CORPORATION,
CENTRAL OFFICE,
BENGALURU - 560 027,
BY ITS MANAGING DIRECTOR.

4. THE ANDHRA PRADESH STATE ROAD TRANSPORT CORPORATION,
MUSHEERABAD,
HYDERABAD - 500 001,
REPRESENTED BY ITS
MANAGING DIRECTOR.

5. SRI R.L.RAMACHANDRA,
S/O LATE SRI LAKSHMANA REDDY,
MAJOR BY AGE, 46 YEARS,
PROPRIETOR, R.S.L. ENTERPRISES,
N.R.EXTENSION,
CHINTAMANI - 563 125,
KOLAR DISTRICT.

6. SMT J.ANURADHA
AGE MAJOR,
W/O SRI JAGADISH KUMAR,
BALAJI TRANSPORTS,
10TH CROSS, ASHOKANAGAR,
TUMAKURU - 572 101.

7. SRI B.SURESH BABU,
S/O SRI B.S.SRINIVASA SHASTRY,
AGE MAJOR,
RAILWAY STATION ROAD,
CHINTAMANI - 563 125
KOLAR DISTRICT.



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8. SMT M.LEELAVATHI,
W/O SRI K.MUNIRAJU
AGE MAJOR,
KAMALAVARIPALLI,
KASHETTIPALLI POST,
SRINIVASAPURA TALUK,
KOLAR DISTRICT - 563 135.

9. SRI R.V.RAMALINGA REDDY,
S/O LATE SRI R.K.VEMA REDDY,
AGE MAJOR,
RAGUTTAHALLI VILLAGE AND POST,
CHINTAMANI TALUK - 563 125,
KOLAR DISTRICT.

...RESPONDENTS

(BY SMT.PRATHIBA.R.K., AGA FOR R1 AND R2;
SRI.T.HAREESH BHANDARY., ADVOCATE FOR R3;
V/O DATED 06.12.2017, NOTICE TO R4 TO 6
IS HELD SUFFICIENT;
SRI.D.S.DODDAIAH., ADVOCATE FOR R7;
R8 AND R9 - SERVED AND UNREPRESENTED)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE
THE ORDER PASSED IN WRIT PETITIONS NO.2001-2009/2005
DATED 12.06.2017.

IN WA NO. 4361/2017

BETWEEN:

1. SRIYUTHS J.S.MANJUNATH
2. J.S.ARJUN
AGE 28 YEARS



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S/O SRI SRINIVASIAH,
MAJOR BY AGE, 58 YEARS,
MANJUNATHA RICE AND FLOOR MILLS,
BAMBOO BAZAAR, CHINTAMANI,
CHICKBALLAPURA DISTRICT,
PIN : 563 125.

...APPELLANTS

(BY SRI. B R SUNDARA RAJA GUPTA., ADVOCATE)

AND:

1. THE KARNATAKA STATE
TRANSPORT AUTHORITY,
MULTISTORYED BUILDINGS,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001,
BY ITS SECRETARY.
2. THE KARNATAKA STATE ROAD TRANSPORT
CORPORATION,
KENGAL HANUMANTHAIAH ROAD,
SHANTHINAGAR, BENGALURU - 560 027,
BY ITS MANAGING DIRECTOR.
3. SRI D.RADHAKRISHNA NAIDU ,
S/O SRI VENKATAPPA NAIDU,
BUS OPERATOR,
HINDUPURA,
ANDHRA PRADESH - 515 501.
4. SRI V.L.NARASIMHA MURTHY,
S/O SRI V.N.LAKSHMAIAH,
NEAR GEETHA MANDIR,
N.R.EXTENSION,
CHINTAMANI - 563 125,
KOLAR DISTRICT.



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5. THE ANDHRA PRADESH STATE
ROAD TRANSPORT CORPORATION,
MUSHEERABAD,
HYDERABAD - 500 001,
BY ITS MANAGING DIRECTOR.

...RESPONDENTS

(BY SMT.PRATHIBA.R.K., AGA FOR R1;
SRI.T.HAREESH BHANDARY., ADVOCATE FOR R2;
R3 AND R5 - SERVED AND UNREPRESENTED;
SRI.D.S.DODDAIAH., ADVOCATE FOR R4)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE
THE ORDER PASSED IN WRIT PETITION NO.13059/2005
DATED 12.06.2017.

IN WA NO. 4365/2017

BETWEEN:

1. R. V. BALAJI
AGED ABOUT 48 YEARS

2. R. V. SUBHASH CHANDRA BOSE
AGED ABOUT 62 YEARS

SONS OF LATE VENKATESHAM CHETTY,
PROPRIETORS,
SRI VENKATESHWARA MOTOR SERVICE,
GANDHINAGAR,
KOLAR,
PIN -574 104.

THE LRS OF LATE P.VENKATESHAM CHETTY
AND THE CAUSE TITLE WAS



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AMENDED ON 06.08.2008.

...APPELLANTS

(BY SRI. M E NAGESH., ADVOCATE)

AND:

1. THE KARNATAKA STATE
TRANSPORT AUTHORITY,
MULTISTORYED BUILDINGS,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001,
NOW AT TTMC BUILDING,
K. H. ROAD, BENGALURU,
PIN - 560 027
BY ITS SECRETARY.

2. THE ANDHRA PRADESH STATE ROAD
TRANSPORT CORPORATION,
MUSHIRABAD,
HYDERABAD,
ANDHRA PRADESH,
BY ITS MANAGING DIRECTOR,
PIN - 861 181.

3. KARNATAKA STATE ROAD TRANSPORT
CORPORATION,
CENTRAL OFFICE, K. H. ROAD,
BENGALURU,
PIN - 560 027
BY ITS MANAGING DIRECTOR.

...RESPONDENTS

(BY SMT.PRATHIBA.R.K., AGA FOR R1;
R2 - SERVED AND UNREPRESENTED;
SRI.T.HAREESH BHANDARY., ADVOCATE FOR R3)



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THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE THE ORDER PASSED IN WRIT PETITION NO.267/2006 DATED 12.06.2017.

IN WA NO. 4406/2017

BETWEEN:

1. R. V. BALAJI
AGED ABOUT 56 YEARS

2. R. V. SUBHASH CHANDRA BOSE
AGED ABOUT 62 YEARS

SONS OF LATE R.VENKATESHAM CHETTY,
PROPRIETORS,
SRI VENKATESHWARA MOTOR SERVICE,
GANDHINAGAR, KOLAR,
PIN - 574 104.

THE LRS OF LATE P.VENKATESHAM CHETTY
AND THE CAUSE TITLE WAS
AMENDED ON 30.05.2008.

...APPELLANTS

(BY SRI.M.E.NAGESH., ADVOCATE)

AND:

1. THE KARNATAKA STATE TRANSPORT AUTHORITY,
MULTISTORYED BUILDINGS,
DR.AMBEDKAR VEEDHI,
BENGALURU - 560 001.
NOW AT TTMC BUILDING,
K H ROAD,



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BENGALURU,
PIN - 560 027
BY ITS SECRETARY.

2. KARNATAKA STATE ROAD
TRANSPORT CORPORATION,
CENTRAL OFFICE, K.H.ROAD,
BENGALURU , PIN 560 027,
BY ITS MANAGING DIRECTOR.
3. THE ANDHRA PRADESH STATE
ROAD TRANSPORT CORPORATION,
MUSHIRABAD, HYDERABAD,
ANDHRA PRADESH,
BY ITS MANAGING DIRECTOR,
PIN - 500 001.
4. SHAMSHEER MOTOR SERVICE,
MAIN ROAD, FORT, KOLAR,
NOW AT NO.42,
LUBBI MASJID STREET,
SHIVAJINAGAR,
BENGALURU - 560 004.

...RESPONDENTS

(BY SMT.PRATHIBA.R.K., AGA FOR R1;
SRI.T.HAREESH BHANDARY., ADVOCATE FOR R2;
R3 - SERVED AND UNREPRESENTED;
SRI.C.V.KUMAR., ADVOCATE FOR R4)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE
THE ORDER PASSED IN WRIT PETITION NO.22907/2005
DATED 12.06.20 17.



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IN WA NO. 4409/2017

BETWEEN:

1. R. V. BALAJI
AGED ABOUT 56 YEARS

2. R. V. SUBHASH CHANDRA BOSE
AGED ABOUT 62 YEARS

SONS OF LATE VENKATESHAM CHETTY,
PROPRIETORS,
SRI VENKATESHWARA MOTOR SERVICE,
GANDHINAGAR, KOLAR,
PIN -574 104.

THE LRS OF LATE P.VENKATESHAM CHETTY,
AND THE CAUSE TITLE WAS
AMENDED ON 30.05.2008.

...APPELLANT

(BY SRI.M.E.NAGESH., ADVOCATE)

AND:

1. THE KARNATAKA STATE TRANSPORT AUTHORITY,
MULTISTORYED BUILDINGS,
DR. AMBEDKAR VEEDHI,
BENGALURU - 560 001,
NOW AT TTMC BUILDING,
K H ROAD, BENGALURU,
PIN - 560 027
BY ITS SECRETARY.

2. THE MANAGING DIRECTOR,
KARNATAKA STATE ROAD
TRANSPORT CORPORATION,



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K.H.ROAD,
BENGALURU, PIN - 560 027.

3. THE ANDHRA PRADESH STATE
ROAD TRANSPORT CORPORATION,
MUSHIRABAD,
HYDERABAD,
ANDHRA PRADESH,
BY ITS MANAGING DIRECTOR,
PIN - 500 001.
4. G.V.CHANDRASHEKAR,
S/O G.T.VENKATASWAMY REDDY,
MAJOR, VINAYAKA MOTOR SERVICE,
KALASIPALYAM,
BENGALURU - 560 002.
5. G.V.NARAYANA REDDY,
S/O G.T.VENKATASWAMY REDDY,
MAJOR, VINAYAKA MOTOR SERVICE,
KALASIPALYAM,
BENGALURU - 560 002.

...RESPONDENTS

(BY SMT.PRATHIBA.R.K., AGA FOR R1;
SRI.T.HAREESH BHANDARY., ADVOCATE FOR R2;
R4 - SERVED AND UNREPRESENTED;
V/O DATED 12.02.2019, NOTICE TO R3
IS HELD SUFFICIENT)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE
THE ORDER PASSED IN WRIT PETITION NO.44750/2004
DATED 12.06.2017.



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IN WA NO. 4448/2017

BETWEEN:

1. MS.KHAMARUNNISSA,
W/O LATE MR.P.LALA SHERIFF,
MAJOR BY AGE,
PROPRIETRIX, SHERIFF EXPRESS,
NOW SRINIVASAPURA,
KOLAR DISTRICT, PIN : 563 135.

...APPELLANT

(BY SRI. B R SUNDARA RAJA GUPTA., ADVOCATE)

AND:

1. THE KARNATAKA STATE TRANSPORT AUTHORITY,
MULTISTOREYED BUILDINGS,
SECOND FLOOR,
DR.AMBEDKAR VEEDHI,
BENGALURU - 560 001,
BY ITS SECRETARY.
2. THE KARNATAKA STATE ROAD
TRANSPORT CORPORATION,
CENTRAL OFFICES,
KENGAL HANUMANTHAIAH ROAD,
BENGALURU - 560 027,
BY ITS MANAGING DIRECTOR.

...RESPONDENTS

(BY SMT.PRATHIBA.R.K., AGA FOR R1;
SRI.T.HAREESH BHANDARY., ADVOCATE FOR R2)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE
THE ORDER PASSED IN WRIT PETITION NO.10180/2008
DATED 12.06.2017.



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IN WA NO. 4534/2017

BETWEEN:

1. AMEERA PASHA
S/O LATE M.ABDUL RAZAK,
AGED ABOUT 52 YEARS,
PROPRIETOR: M.B.S EXPRESS,
PADMAGHATTA, MULBAGAL TALUK,
KOLAR DISTRICT - 563 132.

...APPELLANT

(BY SRI. C V KUMAR., ADVOCATE)

AND:

1. STATE TRANSPORT AUTHORITY
IN KARNATAKA
5TH FLOOR, M.S BUILDING, ANNEXE,
DR. AMBEDKAR ROAD,
BANGALORE - 560 001,
BY ITS SECRETARY.
2. THE MANAGING DIRECTOR
THE KARNATAKA STATE ROAD
TRANSPORT CORPORATION,
K.H.ROAD, CENTRAL OFFICE,
BANGALORE - 560 027.

...RESPONDENTS

(BY SMT.PRATHIBA.R.K., AGA FOR R1;
SRI.T.HAREESH BHANDARY., ADVOCATE FOR R2)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE
THE ORDER PASSED IN WRIT PETITION NO.24896/2005
DATED 12.06.2017.



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IN WA NO. 4544/2017

BETWEEN:

1. K.T.RAJASHEKAR
S/O. LATE. K. GOWDA,
AGED ABOUT 73 YEARS,
PROPRIETOR, SRS TRAVELS,
KALASIPALYAM,
BANGALORE - 560 002.
SINCE DECEASED BY HIS
LR SMT.MEGHA B.R
DAUGHTER OF K.T.RAJASHEKAR
AGED ABOUT 43 YEARS,
R/AT NO.79, SREESHA,
NEAR BASAVANAGUDI
POST OFFICE, H.B SAMAJ ROAD
BENGALURU - 560 004.

...APPELLANT

(BY SRI. C V KUMAR., ADVOCATE)

AND:

1. STATE TRANSPORT AUTHORITY
M.S. BUILDING, 2ND FLOOR,
DR. AMBEDKAR VEEDHI,
BANGALORE - 560 001,
BY ITS SECRETARY.
2. THE MANAGING DIRECTOR
THE KARNATAKA STATE ROAD TRANSPORT
CORPORATION,
CENTRAL OFFICE, K.H. ROAD,
SHANTHINAGAR,
BANGALORE - 560 027,
REP BY ITS CHIEF LAW OFFICER.



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3. M.S POORNIMA
C/O. H.BHAVANI SHANKAR,
AGED ABOUT 60 YEARS,
NO. 139/11, F-2,
JAI BHAVANI,
SHANKAR MUTT ROAD,
MYSORE - 570 001.

...RESPONDENTS

(BY SMT.PRATHIBA.R.K., AGA FOR R1;
SRI.T.HAREESH BHANDARY., ADVOCATE FOR R2;
R3 - SERVED AND UNREPRESENTED)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE
THE ORDER PASSED IN WRIT PETITION NO.10185/2008
DATED 12.06.2017.

IN WA NO. 4545/2017

BETWEEN:

1. P.R.MANJUNATH
AGED ABOUT 54 YEARS,
S/O P.M.RANGANATH
PROPRIETOR,
SRI HANUMAN MOTOR SERVICE,
SIRA,
TUMKUR DISTRICT - 572 137.
2. P.R.SRIRANGA,
AGED ABOUT 49 YEARS,
PROPRIETOR,
SRI HANUMAN MOTOR SERVICE,
SIRA, TUMKUR DISTRICT - 572 137.



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3. P.R.RAMESH
AGED ABOUT 37 YEARS,
S/O P.M.RANGANATH,
PROPRIETOR,
SRI HANUMAN MOTOR SERVICE,
SIRA,
TUMKUR DISTRICT - 572 137.

NOW DEAD BY HIS WIFE AND TRANSFEREE OF
THE PERMIT BY NAME SMT R.PUSHPA
WIFE OF LATE P.R.RAMESH.

...APPELLANTS

(BY SRI. M E NAGESH., ADVOCATE)

AND:

1. THE KARNATAKA STATE TRANSPORT AUTHORITY,
MULTISTORYED BUILDINGS,
DR.AMBEDKAR VEEDHI,
BENGALURU - 560 001,
NOW AT TTMC BUILDING,
K.H.ROAD, BENGALURU,
PIN - 560 027
BY ITS SECRETARY.
2. KARNATAKA STATE ROAD
TRANSPORT CORPORATION,
CENTRAL OFFICE,
K.H.ROAD, BENGALURU
PIN - 560 027
BY ITS MANAGING DIRECTOR.
3. THE ANDHRA PRADESH STATE,
ROAD TRANSPORT CORPORATION,
MUSHIRABAD,



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HYDERABAD,
ANDHRA PRADESH,
BY ITS MANAGING DIRECTOR,
PIN - 500 001.

...RESPONDENTS

(BY SMT.PRATHIBA.R.K., AGA FOR R1;
SRI.T.HAREESH BHANDARY., ADVOCATE FOR R2;
V/O DATED 22.03.2018 - NOTICE TO R3
IS HELD SUFFICIENT)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE
THE ORDER PASSED IN WRIT PETITION NO.24568/2005
DATED 12.06.2017.

IN WA NO. 4588/2017

BETWEEN:

1. MR. UMMER KHAYUM KHAN,
S/O. LATE MS.NOORUNNISSA BEGUM,
AGED ABOUT 52 YEARS,
K.R.EXTENSION, CHINTAMANI,
CHICKABALLAPURA DISTRICT,
PIN - 563 125.
(LR. AND TRANSFEREE OF PERMIT FROM
MS. NOORUNNISSA BEGUM).

...APPELLANT

(BY SRI. B R SUNDARA RAJA GUPTA., ADVOCATE)

AND:

1. THE KARNATAKA STATE TRANSPORT AUTHORITY,
MULTISTOREYED BUILDINGS,
SECOND FLOOR,
DR. AMBEDKAR VEEDHI,



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BENGALURU - 560 001,
BY ITS SECRETARY.

2. THE KARNATAKA STATE ROAD
TRANSPORT CORPORATION,
CENTRAL OFFICES,
KENGAL HANUMANTHAIAH ROAD,
BENGALURU - 560 027,
BY ITS MANAGING DIRECTOR.

...RESPONDENTS

(BY SMT.PRATHIBA.R.K., AGA FOR R1;
SRI.T.HAREESH BHANDARY., ADVOCATE FOR R2)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961 PRAYING TO SET ASIDE
THE ORDER PASSED IN WRIT PETITION NO.10181/2008
DATED 12.06.2017.

THESE APPEALS ARE COMING ON FOR FINAL HEARING,
THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MR. JUSTICE T.M.NADAF

ORDER ON I.A.No.1/2021 IN W.A.NO.4544/2017

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

This I.A has been filed by the proposed legal
representative of the appellant. This is supported by an
affidavit stating that the appellant died on 21.05.2021 and the



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applicant being the daughter of the deceased appellant is the sole heir and legal representative of the deceased appellant and therefore, she be substituted in place of the appellant.

Though the learned counsel for the respondent states that mere substitution of the writ appellant would not confer a right of transfer of the permit under the provisions of the Motor Vehicles Act, 1988, however, the learned counsel for the proposed appellant states that during the pendency of the appeal, the transfer of permit has already been effected in the name of the applicant.

In view of the aforesaid, I.A No.1/2021 is allowed and the learned counsel for the applicant is permitted to carry out the substitution during the course of the day and amended memo of writ appeal shall be filed during the course of the day.

ORAL JUDGMENT

Heard learned counsel for the parties. The sole point being urged by the learned counsel for the appellants in the instant case is that under the ¹Motor Vehicles Act,

¹ M.V Act



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1988 the State Government has formulated a new Comprehensive Area Scheme for the entire State of Karnataka which was published by means of Notification dated 07.03.2019. The Scheme has been notified after approval in terms of sub-section (2) of Section 100 of the M.V Act.

2. The Scheme was published as per the requirement of sub-section (3) of Section 100 of the M.V Act. The contention is that under sub-clause (ii) of Clause (d) of the aforesaid comprehensive area scheme, the exclusion of other persons other than the state transport undertakings of Karnataka State includes existing permits with the trips and vehicles to whom permits are granted and issued by transport authorities in operation as on 18.12.2014, and also pending renewal to operate their services on inter-State, intra-State, inter-district and intra-district routes notwithstanding anything contained in any of the approved schemes. It is stated that they are operating their services in terms of an



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interim order granted by this Court on 06.07.2017 in W.A Nos.4324/2017, 4328/2017, 4349/2017, 4352/2017, 4361/2017, 4365/2017 & 4406/2017, 4409/2017; interim order dated 17.07.2017 in W.A Nos.4448/2017, 4534/2017 & 4544/2017 and interim order dated 08.08.2017 in W.A.No.4545/2017 & W.A.No.4588/2017, whereby the impugned Judgment dated 12.06.2017 was stayed, except in W.A.No.4533/2017. It is therefore their singular submission that the competent authority i.e., respondent No.1 be permitted to take a decision on the permits in the light of the Comprehensive Area Scheme notified on 07.03.2019.

3. Learned counsel for the KSRTC and learned AGA appearing for the State, though have strongly opposed the appeals on merits, however, have stated that since the appellants are confining their submissions only to what was argued above, they would have no objection if the matter can be relegated to the authority competent to



take a decision in the light of the aforesaid comprehensive area scheme.

4. In view of the aforesaid, the order as follows:
 - (i) The impugned order of the learned Single Judge dated 12.06.2017 is upheld.
 - (ii) The appellants are permitted to move a representation before the State Transport Authority with respect to their claim under sub-clause (ii) of Clause (d) of the Comprehensive Area Scheme notified on 07.03.2019. If such a representation is moved, the competent authority shall take a decision thereon strictly in accordance with law within a period of two months. For a period of two months from today or till the earlier decision of the State Transport Authority, whichever is prior, all the appellants except in



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W.A.No.4533/2017 are permitted to operate under the permits.

- (iii) It is made clear that we have expressed no opinion on the merits of the case of the appellants.
- (iv) The appeals, accordingly, stand **disposed of**. All pending applications stand disposed of.

**Sd/-
(JAYANT BANERJI)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

TKN
List No.: 1 Sl No.: 11