



IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 25TH DAY OF FEBRUARY, 2026
PRESENT
THE HON'BLE MR. JUSTICE S.G.PANDIT
AND
THE HON'BLE MR. JUSTICE K. V. ARAVIND
WRIT PETITION NO. 23947 OF 2021 (S-KSAT)

BETWEEN:

1. SHRI ISHWAR B AVATI
S/O SHRI BASAPPA
AGE: 66 YEARS
RETIRED REGIONAL TRANSPORT OFFICER
R/AT SREE MAHALAKSHMI BUILDING
BEHIND P.W.D. I B
SREE DANESHWARINAGAR
MUDHOL, MUDHOL TALUK
BAGALKOT DISTRICT.
2. SHRI AZEEZ ULLAH
S/O SHRI MUNAWAR MIYAN SAHEB
AGED ABOUT 65 YEARS
RETIRED SENIOR MOTOR VEHICLE
INSPECTOR, R/AT NO.997/1
UPPER DIARA, CHANNAPATNA
RAMANAGAR DISTRICT-562120.
3. SRI B SOMASHEKARA
AGED ABOUT 66 YEARS
S/O BYRAPPA SETTY
RETIRED SENIOR MOTOR VEHICLE INSPECTOR
R/AT 2ND CROSS, JAYANAGAR
CHIKKAMAGALUR
CHIKKAMAGALUR DISTRICT-577101.

...PETITIONERS

(BY SRI. VIJAYA KUMAR, ADV.)





AND:

1. THE STATE OF KARNATAKA
REP. BY ITS PRINCIPAL SECRETARY
DEPARTMENT OF TRANSPORT
M S BUILDING
DR. B R AMBEDKAR VEEDHI
BENGALURU-560001.
2. THE COMMISSIONER FOR TRANSPORT
1ST FLOOR, 'A' BLOCK
BMTc COMPLEX
SHANTHINAGAR
BANGALORE – 560027.
3. THE KARNATAKA LOKAYUKTA
REP. BY ITS REGISTRAR
M S BUILDING
DR. B R AMBEDKAR VEEDHI
BANGALORE – 560001.
4. THE ADDITIONAL REGISTRAR OF ENQUIRIES -2
KARNATAKA LOKAYUKTHA
M S BUILDING
DR. B R AMBEDKAR VEEDHI
BANGALURU – 560001.
5. THE ACCOUNTANT GENERAL A AND E
KARNATAKA CIRCLE
PALACE ROAD
BENGALURU - 560001.

...RESPONDENTS

(BY SRI. K.R. RAJENDRA, AGA FOR R1, R2 AND R5
SRI VENKATESH ARBATTI, ADV. FOR R3 AND R4)

THIS PETITION IS FILED UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA PRAYING TO 1. TO SET ASIDE THE IMPUGNED ORDER DATED 30TH AUGUST 2021 PASSED BY THE KARNATAKA STATE ADMINISTRATIVE TRIBUNAL IN APPLICATION NOS.2765-2766/2017 AND 2860/2017 VIDE ANNEXURE-A AND ALLOW THE APPLICATION AS PRAYED FOR AND 2. TO PASS SUCH OTHER ORDER/S AS THIS COURT DEEMS FIT IN THE FACTS AND CIRCUMSTANCES OF THE CASE.



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

CORAM: HON'BLE MR. JUSTICE S.G.PANDIT
AND
HON'BLE MR. JUSTICE K. V. ARAVIND

ORAL ORDER

(PER: HON'BLE MR. JUSTICE S.G.PANDIT)

Heard Sri. Vijay Kumar, learned counsel for the petitioners and Sri. Venkatesh.S.Arbatti, learned counsel for respondent Nos.3 and 4 as well as learned Additional Government Advocate for respondent Nos.1, 2 and 5. Perused the entire writ petition papers.

2. At the outset, both the learned counsels for the parties would submit that the petitioners have questioned the Entrustment Order dated 04.04.2017 as well as Corrigendum dated 04.05.2017 before the Tribunal. The Tribunal under the impugned order dated 30.08.2021 dismissed the application of the petitioners as devoid of merit. Similarly situated persons had also approached the Tribunal questioning such entrustment of enquiry and those applications were allowed by order dated 19.04.2017 in Application Nos.2198/2016 c/w 2199/2016, which was the subject matter of writ petitions before this Court



in W.P.No.29212/2017 clubbed with W.P.No.29213/2017, W.P.No.38938/2018. This court, by order dated 29.06.2021, allowed the writ petitions and set aside the order of the Tribunal. The said order of this Court was the subject matter of SLP.Nos.13209-13210/2021. The Hon'ble Apex Court by order dated 26.09.2023 dismissed the SLP.Nos.13209-13210/2021 filed by the petitioners therein. The order passed by the Hon'ble Apex Court reads as follows:

"After having heard learned counsel appearing on behalf of the parties at length and considering the fact that the order of the Karnataka State Administrative Tribunal dated 19.04.2017 has been set-aside by the order impugned by which the order dated 06.09.2013 of initiation of the inquiry and the chargesheet dated 08/20.04.2015 have been quashed, we are not inclined to interfere in the order impugned passed by the High Court. The Special Leave Petitions are, accordingly, dismissed.

However, we are of the opinion that this is a case of challenging the order of initiation of departmental action and the charge-sheet issued by the department, therefore, we observe that all the contentions as raised before this Court or as are available under the law, are left open to the petitioner to be raised before the appropriate authority in accordance with law, which shall be duly considered. On passing any adverse order against the petitioner, liberty is granted to raise all those points before the appropriate forum.

In view of the dismissal of these Special Leave Petitions, the interim order dated 07.09.2021 passed by this Court stands vacated. The respondents are at liberty to take appropriate action in accordance with law and conclude the inquiry as expeditiously as possible.



Pending interlocutory application(s), if any, is/are disposed of."

3. In view of the order passed by the Co-ordinate Bench dated 29.06.2021 in W.P.No.29212/2017 and connected matters and the order of the Hon'ble Apex Court in the above stated SLP, the present writ petition is also liable to be dismissed. Accordingly, the writ petition stands **rejected**.

All contentions of the parties are left open.

In view of the above, pending I.As do not survive for consideration.

**Sd/-
(S.G.PANDIT)
JUDGE**

**Sd/-
(K. V. ARAVIND)
JUDGE**

BSV
CT:bms
List No.: 1 Sl No.: 52