

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.1432 OF 2014

Ginza Industries Limited & Others	 Petitioners
Vs.	
Transport Commissioner/R.T.O., Mumbai & Others	 Respondents

Mr. Firoz Bharucha with Mr. R. Ashok i/b M/s. Bekay
Legal for the Petitioners.
Ms Geeta Shastri, Addl. GP, with Mr. G.W. Mattos,
Asst.GP, for Respondent Nos.1 and 2.

CORAM: S.C. DHARMADHIKARI &
B.P. COLABAWALLA, JJ.

DATE : AUGUST 20, 2016

P.C:

1. Having heard the petitioners' Advocate and perusing the affidavit in reply filed on behalf of the State, we are of the opinion that the writ petition involves disputed questions of fact. Secondly, the petitioners have alternate and equally efficacious remedy of filing an appeal to the Transport Commissioner, Maharashtra State, as contemplated under Section 14 of the Maharashtra Motor Vehicles Tax Act, 1958.

2. In such circumstances and keeping all the contentions open, so also clarifying that this Court has expressed no opinion thereon, the writ petition is disposed of.

(B.P. COLABAWALLA, J.)

(S.C. DHARMADHIKARI, J.)