

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.1303 OF 2016

Office Notes, Office
memorandum of Coram,
appearances, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Shri Diwakar R. Singh for the Petitioner.
Shri Manish Pabale, AGP for the Respondent State.

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CORAM : A.S. OKA &
SMT. ANUJA PRABHUDESSAI, JJ

DATED : 24TH MARCH 2017

P.C.:

1. Perused the Writ Petition under Article 226 of the Constitution of India seeking a writ of mandamus directing the Regional Transport Office to register a vehicle in the name of the Petitioner. Perusal of the Petition shows that there is no averment that an Application/Representation in writing was made by the Petitioner to the Officer empowered to register the vehicle calling upon him to register the vehicle. Before approaching the Writ Court, the Petitioner ought to have approached the

concerned Authority and demanded the justice. However, the Petitioner has not done that. In light of the law laid down by the Apex Court in Paragraphs 24 and 25 of the decision in the case of *Saraswati Industrial Syndicate Ltd and others v. Union of India*¹, this Petition seeking writ of mandamus cannot be entertained.

2. Only on this ground, we reject the Petition. However, rejection of the Petition will not prevent the Petitioner from making an Application to the Registering Authority to register the vehicle. If such Application is made, the same shall be decided on its merits in accordance with law.

(SMT. ANUJA PRABHUDESSAI, J)

(A.S.OKA, J)

¹ (1974)2 SCC 630