HC-KAR
CNR: KAHC010615522026

NC: 2026:KHC:62387
WP No. 28266 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF NOVEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE C.M. POONACHA

WRIT PETITION NO. 28266 OF 2026 (GM-RES)

BETWEEN:

1. M/S.SAI ADVERTISER,
   A PROPRIETARY CONCERN,
   REPRESENTED BY ITS PROPRIETRIX
   SMT.G.SUJATHA
   BY ITS POWER OF ATTORNEY HOLDER
   MR. G.RAVINDRA REDDY,
   S/O MASTAN REDDY
   AGED ABOUT 53 YEARS,
   HAVING ITS OFFICE AT NO.74/75,
   3RD FLOOR, SAI SUSHMA ARCADE,
   PATEL KEMPAIAH LAYOUT,
   CHOKKASANDRA, PEENYA
   BENGALURU-560 058.

...PETITIONER

(BY SRI. L.M. CHIDANANDAYYA.,ADVOCATE)

AND:

1. STATE OF KARNATAKA
   REPRESENTED BY ITS PRINCIPAL SECRETARY,
   DEPARTMENT OF TRANSPORT,
   M.S.BUILDINGS,
   BENGALURU-560 001.

2. KARNATAKA STATE ROAD TRANSPORT
   CORPORATION,
   A GOVERNMENT OF KARNATAKA

UNDERTAKING,
SARIGE BHAVAN, K.H.ROAD,
SHANTHINAGAR,
BENGALURU-560 027.
REPRESENTED BY ITS MANAGING DIRECTOR.

3. BENGALURU METROPOLITAN TRANSPORT CORPORATION,
A GOVERNMENT OF KARNATAKA UNDERTAKING,
CENTRAL OFFICE, BMTC, K.H.ROAD,
SHANTHINAGAR, BENGALURU-560 027
REPRESENTED BY ITS MANAGING DIRECTOR.

4. CHIEF TRAFFIC MANAGER (COMMERCIAL)
KARNATAKA STATE ROAD TRANSPORT CORPORATION,
SARIGE BHAVAN, K.H.ROAD,
SHANTHINAGAR, BENGALURU-560 027
REPRESENTED BY ITS MANAGING DIRECTOR.

5. CHIEF TRAFFIC MANAGER (COMMERCIAL)
BENGALURU METROPOLITAN TRANSPORT CORPORATION,
TRAFFIC(COMMERCIAL) DEPARTMENT,
2ND FLOOR, SHANTHINAGAR BUS STAND,
K.H.ROAD, BENGALURU-560 027.

…RESPONDENTS

(BY SRI. RAHUL CARIAPPA K S, AGA FOR R1
SRI. P D. SURANA ,ADVOCATE FOR R2 TO R5)

THIS WP IS FILED UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA PRAYING TO CALL FOR THE RECORDS WHICH ULTIMATELY RESULTED IN ISSUING THE IMPUGNED CIRCULAR DATED 31.01.2026 IN NO.KA.RFA.SA.KEK. NO.VA-3.1789/2025-26 ISSUED BY 4TH RESPONDENT TO ALL ITS DIVISIONAL CONTROLLERS VIDE ANNEXURE-A AND THE CIRCULAR INSTRUCTIONS ISSUED BY THE 5TH RESPONDENT DATED 02.02.2026 IN NO.BMTC/

KEK/SANCHAR (COMMERCIAL)/1729/4383/2025-26 TO ALL THE DIVISIONAL CONTROLLERS DIRECTING TO STOP PUTTING OF ADVERTISING STICKERS/GLOW SIGNS ON THE BUSES OF THE KSRTC/BMTC VIDE ANNEXURE-A1.

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

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present petition is filed seeking for the following reliefs:

> *"a) CALL for the records which ultimately resulted in issuing the impugned Circular dated 31.01.2026 in No.KA.RFA.SA.KEK: NO:VA-3:1789/2025-26 issued by 4th Respondent to all its Divisional Controllers vide ANNEXURE-A and the Circular instructions issued by the 5th Respondent dated 02.02.2026 in No.BMTC/ KEK/Sanchar (Commercial)/1729/4383/2025-26 to all the Divisional Controllers directing to stop putting of advertising stickers/glow signs on the buses of the KSRTC/BMTC vide ANNEXURE-A1.*
>
> *b) ISSUE an order, direction or writ in the nature of Certiorari, quashing the impugned Circular dated 31.01.2026 in No.KA.RFA.SA.KEK: NO:VA-3:1789/2025-26 Issued by the 4th Respondent to all its Divisional Controllers vide ANNEXURE-A and the Circular instructions issued by the 5th Respondent dated 02.02.2026 in No. BMTC/KEK/Sanchar (Commercial)/1729/4383/2025-26 to all the Divisional Controllers directing to stop putting of advertising stickers/glow signs on the buses of the KSRTC/BMTC vide ANNEXURE-A1*

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c) ISSUE an order, direction or writ in the nature of Mandamus directing the Respondents not to interfere with the right of the Petitioner to carry on the advertising rights in terms of the Agreements entered into between the Petitioner and the Respondents and consequently forthwith permitting the Petitioner to carry on its advertising rights including advertising of `Vimal Elaichi' in terms of the Agreements;

d) ISSUE such other relief/s which this Hon'ble Court may deem fit in the facts and circumstances of the case. "

2. The petitioner being aggrieved by the impugned communications dated 31.01.2026 (Annexure - A to the writ petition) and 02.02.2026 (Annexure - A1 to the writ petition) issued by respondent Nos.2 and 3 respectively is before this Court.

3. Vide the said communications, the petitioner has been restrained from carrying out advertising activities of the product "Vimal Elaichi".

4. In this context, it is pertinent to note that the petitioner, consequent to being the successful tenderer has entered into an agreement dated 27.11.2025 (Annexure - F1 to the writ petition) with the second respondent - Karnataka

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State Road Transport Corporation[1] as well as agreement dated 11.04.2025 (Annexure - F to the writ petition) with the third respondent - Bengaluru Metropolitan Transport Corporation[2]. Vide the said agreements, the petitioner has been granted advertising rights for a period of 5 years under the terms of the said agreements.

5. The learned counsel for the respondents justifying the impugned communications dated 31.01.2026 and 02.02.2026 contends that the advertisements sought to be carried out by the petitioner is in contravention of the Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003[3].

6. It is the submission on behalf of the respondents that even surrogate advertising is prohibited under the agreements in question and that in the event there is any

[1] Hereinafterwords referred to as the "KSRTC"
[2] Hereinafterwords referred to as the "BMTC"
[3] Hereinafterwords referred to as the "Act"

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violation of the provisions of the Act, respondent Nos.2 and 3 are also liable to be prosecuted.

7. It is the vehement contention of the learned counsel for the petitioner that the advertisements that are the subject matter of the impugned communications dated 31.01.2026 and 02.02.2026 do not in any manner violate the provisions of the Act and they are merely natural products.

8. In this context, it is pertinent to note that the petitioner is carrying on business consequent to the agreements dated 27.11.2025 and 11.04.2025 as noticed above. The parties are bound by the terms of the agreement. The agreement also contains a dispute resolution clause wherein any dispute or differences are to be decided by the Managing Director of respondent No.2.

9. Having regard to the fact that the impugned communications have been issued consequent to a contractual arrangement between the petitioner and respondent Nos.2 and 3, no relief can be granted in the present writ petition. In any event, it is the satisfaction of respondent Nos.2 and 3 that the

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petitioner is required to adhere for the purpose of continuing to carry out the advertisements in terms of the said agreements. The impugned notices are not issued by any statutory authority.

10. In view of the aforementioned, it is open for the petitioner to give a response to the impugned communications dated 31.01.2026 and 02.02.2026 issued by respondent Nos.2 and 3 and it is for respondent Nos.2 and 3 to take a decision with regard to the same.

11. In the event the petitioner is not able to carry out advertisements in terms of the agreements, it is for the petitioner to avail appropriate remedies in terms of the agreements dated 27.11.2025 and 11.04.2025.

12. Accordingly, the writ petition is dismissed.

13. Pending IAs., if any, stand disposed of.

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(C.M. POONACHA)
JUDGE

Vmb
List No.: 1 Sl No.: 37