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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 8906-07/2005

Date of decision: 26th August, 2009

ALORA TRADING COMPANY LTD. & ANR. Petitioners
Through Mr. H.S. Phoolka, Sr. Advocate with Mr.
T.S. Ahuja & Mr. Arun Arora, Advocates.

versus

JOINT DIRECTOR (OPS) DELHI & ORS. Respondents
Through Mr. Amitabh Marwah, Advocate.

CORAM:
HON'BLE MR. JUSTICE SANJIV KHANNA

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether the judgment should be reported in the Digest?

O R D E R

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CM No. 7150/2007

1. The applicant-petitioner has an old car with the registration No. DLS
1. He wanted the said registration number to be transferred to another car, which he had purchased on 27th July, 2004 and an application was made to the same effect on or about 17th August, 2004 followed by another request letter dated 10th January, 2005.
2. Not satisfied with the response from the respondent-Government of NCT of Delhi, this writ petition was filed on 19th May, 2005. Counter

affidavit and rejoinder affidavit were filed and the writ petition was dismissed on 19th April, 2007, after recording the contention of the Government of NCT of Delhi that inter change of vehicle registration numbers was/is not possible and the registration number once allotted to a vehicle was/is permanent and cannot be transferred. The order dated 19th April, 2007 records that the computer system does not accept request for inter-change of registration number.

3. The applicant-petitioner has filed the present application seeking modification of the said order on the ground that inter change of registration numbers are permitted and allowed in the State of West Bengal. Further, at least in one case inter-change of registration number was permitted in July, 2005 in Delhi. Reference is also made to a newspaper report.

4. The applicant-petitioner has rightly contended that he had made an application for inter-change of the registration number in July/August, 2004 and at that time there was no restriction on inter-change or transfer of registration number. There appears to be lapse on the part of the respondents in not permitting and allowing inter-change till September, 2005, when the smart card based SCOSTA standard system was introduced.

5. However, I do not think it will be proper and just to issue any direction to the respondent-Government of NCT of Delhi to carry out inter

change of registration number after the smart card system based SCOSTA standards was implemented for registration of new private vehicles with effect from October, 2005. Under the said system, registration number once allotted is permanent and cannot be changed. No inter change of registration number is permitted. The said smart card system based upon SCOSTA standards is to ensure proper and foolproof maintenance of car records and is necessary and justified for various reasons including security concerns and necessity to trace vehicles easily. Issuing any direction now will obviously create problems and make the entire system unworkable and defeat the objective behind the system. It is stated by the respondents that the software does not permit inter-change or transfer of registration numbers. The applicant-petitioner has not been able to point out any specific instance in Delhi in which after October, 2005 any inter change of car registration number has been permitted. What may have happened in State of West Bengal is not relevant as the Government of NCT of Delhi has implemented the smart card system based upon SCOSTA standards. The respondents in their affidavit have stated that inter change of registration number granted by State of West Bengal relied upon by the petitioner is not based upon SCOSTA standards.

6. At this stage, learned counsel for the applicant-petitioner states that option should be given to the applicant-petitioner to approach the respondents in case they are able to point out a mechanism under which

inter-change of registration numbers can be permitted or such inter-change is allowed in another case. He states that it may be possible to retain the registration number in case old car is scrapped and the said number can be re-allocated to the new car. It will be open to the petitioner to approach the respondents in case the respondents permit inter-change or transfer or retention of registration numbers or any such order is passed or policy decision is taken.

The application is accordingly disposed of.

SANJIV KHANNA, J.

AUGUST 26, 2009
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