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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 7040/2016

VIKAS KUMAR GUPTA ..... Petitioner  
 Through Mr. Anuj Dhir, Advocate

versus

DEPARTMENT OF TRANSPORT ..... Respondent  
 Through Mr. Anuj Aggarwal, ASC (Civil),  
 GNCTD

**CORAM:**  
**HON'BLE MR. JUSTICE MANMOHAN**

**ORDER**  
**12.08.2016**

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Present writ petition has been filed challenging suspension order dated 29<sup>th</sup> December, 2014 whereby petitioner's driving licence was cancelled.

It has been averred in the petition that on 18<sup>th</sup> January, 2016 petitioner met with an accident in Haridwar and his car was 90% damaged. It has also been stated that subsequently a show cause notice dated 18<sup>th</sup> April, 2015 was issued and licence was suspended on 2<sup>nd</sup> July, 2016.

It is the case of the petitioner that upon applying for the insurance claim, he was informed that his licence stood cancelled/suspended by the authority on 29<sup>th</sup> December, 2014 for over-speeding.

Learned counsel for the petitioner contends that how can petitioner's licence be suspended on 2<sup>nd</sup> July, 2016 when it was already cancelled/suspended on 29<sup>th</sup> December, 2014.

He also relies upon judgment of this Court in ***W.P.(C) 2076/2016*** title ***Ashish Gosain Vs. Department of Transport*** decided on 2<sup>nd</sup> May, 2016.

Issue notice.

Mr. Anuj Aggarwal, learned additional standing counsel accepts notice on behalf of respondent. He states that petitioner's licence was not cancelled/suspended on 29<sup>th</sup> December, 2014. He reiterates that the petitioner's licence was suspended only on 2<sup>nd</sup> July, 2016.

He further states that the petitioner would be given an opportunity of hearing upon petitioner depositing his licence within ten days.

Learned counsel for the petitioner has no objection to the same.

Consequently, present writ petition is disposed of with a direction to petitioner to deposit his licence within a period of ten days. Respondent is directed to give an opportunity of hearing within a further period of one week and pass a reasoned order in accordance with the decision in ***Ashish Gosain Vs. Department of Transport*** (supra) within a period of two weeks thereafter.

Respondent is further directed to issue a no objection certificate within a period of one week to the petitioner certifying that the petitioner's driving licence was valid upto 1<sup>st</sup> July, 2016 and was suspended only on 2<sup>nd</sup> July, 2016.

With the aforesaid directions, present writ petition stands disposed of.

Order dasti.

**MANMOHAN, J**

**AUGUST 12, 2016**

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