

\$~28

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

+ **W.P.(C) 10813/2016 & C.M.No.42315/2016**

OM PRAKASH & ORS

..... Petitioners

Through Mr.Arvind Kumar, Advocate.

versus

COMMISSIONER OF TRANSPORT & ORS

..... Respondents

Through Ms.Niti Jain with Ms.Deboshree
Mukherjee, Advocates with SI Bhagat
Ram, Model Town and SI Ram
Tirath, Pairvi Officer, Traffic.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **16.11.2016**

Present writ petition has been filed seeking a direction to respondents to remove the illegal vehicles plying as stage carriage on Route of Gramin sewa Vehicle Route No. 15, i.e., GTB Nagar to Gandhi Vihar, Delhi.

It has been averred in the petition that petitioners had earlier filed a W.P.(C) No.2103/2016 on the similar issue and the same was disposed of vide order dated 31st March, 2016 with the direction to Joint Commissioner, Traffic Police to decide the petitioners' representation dated 30th March, 2015 after giving an opportunity of hearing to the petitioners.

Learned counsel for the petitioners states that despite the aforesaid order, no action has been taken against the illegal plying of

TSRs and E-rickshaws.

He further states that the petitioners sent a legal notice dated 4th July, 2016 seeking compliance of the order dated 31st March, 2016, but no reply has been received till date.

Issue notice.

Ms.Niti Jain, Advocate accepts notice on behalf of the respondents. She states that between 1st April, 2016 and 15th November, 2016, 836 TSRs have been prosecuted on the road from Hakikat Nagar 'T' point (GTB Nagar) to Gandhi Vihar.

However, in the opinion of this Court, petitioners' representation needs to be disposed of in accordance with the order dated 31st March, 2016 passed in W.P.(C) No.2103/2016.

Consequently, this Court directs the Joint Commissioner, Traffic Police to decide the petitioners' representation dated 30th March, 2015 within a period of six weeks from today. A copy of the reasoned order shall be communicated to the petitioners by registered AD post.

In the event, the petitioners' representation is not disposed of within the stipulated period, the petitioners are given liberty to seek revival of present writ petition.

With the aforesaid directions, present writ petition and the application stand disposed of.

Order *dasti*.

MANMOHAN, J

NOVEMBER 16, 2016
KA