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

+ W.P.(C) 9261/2015

% Date of Decision : 01st June, 2016

MEERA MISHRA Petitioner
Through: Mr. Sugriva Dubey, Adv.
versus

GOVT. OF NCT OF DELHI & ANR. Respondents
Through: Mr. Peeyoosh Kalra, ASC for
GNCTD.

**CORAM :-
HON'BLE MR. JUSTICE J.R. MIDHA**

JUDGMENT (ORAL)

1. The petitioner is the owner of Wagon R car bearing registration No-DL-2CN-6584. The petitioner is a permanent resident of Trivenipuram, Jhoosi, Allahabad and she applied for no objection certificate (NOC) to the Road Transport Authority, Delhi for registering the car with the Road Transport Authority, Allahabad. However, since no action has been taken by Road Transport Authority, the petitioner has filed this writ petition seeking NOC for registration of the car with the Road Transport Authority, Allahabad.
2. Mr. Peeyoosh Kalra, learned additional standing counsel for GNCTD, submits that petitioner's car is more than 15 years old and, therefore, the car has to be re-registered before the issuance of NOC. It is submitted that vide order dated 26th November, 2014, the

National Green Tribunal has directed that the vehicles more than 15 years old are not permitted to ply in Delhi. The National Green Tribunal has further directed the Authority to not to issue/renew registration of vehicles which are more than 15 years old.

3. Learned counsel for the petitioner submits that there is no bar to the petitioner taking the car from Delhi to her native place at Allahabad. It is further submitted that there is no impediment either under the Motor Vehicles Act or under the order passed by National Green Tribunal for her registering the car with the Road Transport Authority, Allahabad. It is further submitted that there is no impediment in the issuance of NOC to the petitioner.

4. Learned counsel for the petitioner on instructions undertakes that the petitioner shall not ply the aforesaid car in National Capital Region. The undertaking of the petitioner is hereby accepted.

5. Learned additional standing counsel for GNCTD submits on instructions that the petitioner has to produce the car for fitness before the Road Transport Authority, Delhi in terms of the Section 56 of the Motor Vehicles Act read with Rules 62 and 63 of the Motor Vehicles Rules.

6. In the facts and circumstances of this case, this petition is allowed. The petitioner shall produce her car before Road Transport Authority, Delhi for fitness within four weeks from today. If the car is found fit, the Road Transport Authority, Delhi shall issue a fitness certificate, re-register the car and issue a NOC within a period of four weeks thereafter for getting it registered at Allahabad. The Petitioner shall remain bound by her undertaking not to ply her car in the

National Capital Region.

7. Copy of this judgement be given *dasti* to learned counsels for the parties under signature of Court Master.

J.R. MIDHA, J.

JUNE 01, 2016

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