

\$~19.

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

+ W.P.(C) 11088/2015

SURENDER KUMAR SHARMA ..... Petitioner

Through : Petitioner in person.

versus

THE DISTRICT & SESSION JUDGE & ORS ..... Respondents

Through : Mr.Saurabh Chadda and Mr.Ishan Kashyap, Advs. for respondent no.1.

Ms.Vasundhara Nayyar and

Ms.Anushruti, Advs. for Ms.Mini Pushkarna, Standing counsel, EDMC.

Mr.Satyakam, ASC, GNCTD and Mr.Naveen Jakhar, Advs. for respondents no.4 and 5.

Inspr.Dinesh Kumar, TI, Vivek Vihar, Traffic Circle.

SI Ram Tiirth, Pairvi Officer, Traffic.

**CORAM:**

**HON'BLE MR. JUSTICE G.S.SISTANI**

**HON'BLE MR. JUSTICE VINOD GOEL**

**ORDER**

% **29.11.2016**

1. Present writ petition has been filed by the petitioner, who is a practising Lawyer in Karkardooma Courts, under Article 226 of the Constitution of India seeking a direction to remove illegal, unauthorised and haphazard parking from inside and outside the court premises in front of AGCR Enclave and BSES Yamuna Power Limited. The petitioner also seeks a direction to respondents no.1 and 3 to 7 to take action against respondent no.2 for collecting illegal parking charges from the litigants.
2. The petitioner is primarily aggrieved by the action of Shahdara Bar Association and the Government Bodies whereby they have allowed vehicles to be parked on road illegally which led to traffic jam. Further

on account of haphazard parking, in case of an unforeseen incident the emergency services would not be able to approach the spot. It is also urged in the petition that Shahdara Bar Association has been illegally charging parking charges from the vehicles, which were being parked by the litigants.

3. Notice in this petition was issued on 14.12.2015. President, Shahdara Bar Association, and ACP, Traffic, were directed to convene a meeting, carry out a spot inspection and submit a report. On 5.2.2016, Standing Counsel for the East Delhi Municipal Corporation had made a statement that the parking area outside Karkardooma Courts Complex has been made and declared a free parking. On 23.2.2016, Mr.Gaurav Seth, Advocate, who had appeared on behalf of Shahdara Bar Association, had made a statement that the Bar Association is not receiving or collecting any amount on the pretext of managing/controlling the parking space.
4. Today, the petitioner very fairly submits that after the intervention of the Court and on account of the keen interest taken by the Assistant Commissioner of Police, Traffic, New Delhi, the traffic in and around Karkardooma Courts has been streamlined. The petitioner further submits that as far as levy of parking charges by Shahdara Bar Association is concerned, this Court vide order dated 23.2.2016 had made it clear that PWD and East Delhi Municipal Corporation would ensure that general public is not made to pay parking charges, unless they have authorised and appointed a parking contractor in accordance with law and in case no parking contractor has been appointed, sign boards mentioning 'parking is free' would be put up.
5. The petitioner submits that having regard to the fact that the prayers made in this writ petition are satisfied, no further orders are required to be passed in this matter and the petition may be disposed of binding the Bar

Association to the statement made in Court on 23.02.2016.

6. Despite the matter being passed over once and called a second time, none has chosen to appear on behalf of Shahdara Bar Association. We find that none had appeared of behalf of Shahdara Bar Association even on the last date of hearing.
7. Accordingly, having regard to the submissions made by the petitioner and in view of the fact that the prayers made in this petition are satisfied, present writ petition stands disposed of. However, Shahdara Bar Association shall remain bound by the order dated 23.02.2016 passed by this Court. The Shahdara Bar Association is also directed to put up sign boards of 'free parking', if not already fixed, at the site in question, where vehicles of litigants are being parked.

**CM APPL. 28730/2015 (For directions)**

8. Application stands disposed of in view of the order passed in the writ petition.

**G.S.SISTANI, J**

**VINOD GOEL, J**

**NOVEMBER 29, 2016**

msr