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

+ W.P.(C) 2238/2017 & CM APPL. 9752/2017

OM PRAKASH & ORS Petitioners
 Through Mr. Arvind Kumar, Advocate
 Petitioner nos. 2 and 3 in person.

versus

COMMISSIONER OF TRANSPORT & ORS Respondents
 Through Mr. Peeyoosh Kalra, ASC (Civil) with
 Ms. Sona Babbar, Advocate,
 SI Rishi Ram, ZO/Model Town and SI
 Ram Tirath, Pairvi Officer, Traffic for
 GNCTD.

CORAM:
HON'BLE MR. JUSTICE MANMOHAN

ORDER
09.03.2017

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Present writ petition has been filed seeking a direction to respondents to remove the illegal vehicles plying as stage carriage on the route of Gramin Sewa vehicle Route No. 15.

Petitioners had earlier filed a writ petition being W.P.(C) 10813/2016 on the similar issue and the said petition was disposed of vide order dated 16th November, 2014 with a direction to respondent no. 2-Jt. Commissioner, Traffic Police to decide petitioner's representation dated 30th March, 2015 by way of a reasoned order.

Learned counsel for the petitioners states that in pursuance to the aforesaid order, the respondent no. 2-Jt. Commissioner has disposed of petitioner's representation stating that the officers of the Delhi Traffic Police are taking

regular legal action against the errant TSRs and E-Rickshaws.

Learned counsel for the petitioner, however, states that the order passed by the Jt. Commissioner of Police is an eye wash and respondents are not taking action to ensure that the BBM Road from Hakikat Nagar Chowk to Batra Complex is free from E-Rickshaws as directed vide Notification dated 11th August, 2014 issued by the Govt. of NCT of Delhi.

On the other hand, Mr. Peeyoosh Kalra, learned additional standing counsel for Govt. of NCT of Delhi has handed over a chart which shows that 2083 challans have been issued in respect of E-Rickshaws as on 8th March, 2017.

Mr. Kalra states that the present petition has been filed by the petitioners with an oblique motive to monopolise the entire transportation business in the area.

Mr. Kalra, on instruction of SI Rishi Ram who is present in Court, assures and undertakes to this Court that unregistered E-Rickshaws shall be impounded and the Notification dated 11th December, 2014 shall be implemented in its true letter and spirit.

Keeping in view the fact that the regular challans are being issued and the counsel for the respondent has undertaken to impound the unregistered E-Rickshaws as well as to give effect to the Notification dated 11th December, 2014 in accordance with law, this Court is of the view that no further orders are called for in the present petition. Consequently, the statement and undertaking given by learned counsel for respondent is accepted and the present writ petition and applications are disposed of in terms thereof.

MANMOHAN, J

MARCH 09, 2017

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