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

+ W.P.(C) 8988/2015

% Date of decision : 10th July, 2017

SANDEEP DAHIYA Petitioner
Through : Mr. Zeyaul Haque, Adv.

versus

GOVERNMENT OF NCT DELHI AND
ORS. Respondents
Through : Mr. Sanjoy Ghose, ASC
with Mr. Rhishabh Jetley
and Mr. Aparajita Sharan,
Adv. for GNCTD/R-1.
SI Ram Tirath, Pairvi
Officer Traffic.
Mr. Kirtiman Singh, CGSC
with Mr. Waize Ali Noor,
Adv. for UOI/R-4.
Mr. Udayan Jain, Mr. Sonal
Jain, Ms. Heena Sharma and
Mr. Kamal Sharma, Adv. for
Association of Radio
Taxis/R-5.

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT (ORAL)

GITA MITTAL, ACTING CHIEF JUSTICE

1. We are informed that respondent no.4 has filed counter affidavit placing before us an order dated 11th August, 2016

annexed therewith (page 276 of the paper book) passed by the Id. Single Judge of this Court in Cont.CAS(C)No.643/2015 *Association of Radio Taxis vs. Bhavish Aggarwal & Ors.*; Cont.CAS(C)No.136/2016 *Ani Technologies Private Limited vs. Gagan Bhatia & Anr.*; WP(C)No.6000/2015 *Association of Radio Taxis vs. Union of India & Ors.* and WP(C)No.6668/2015 *Ani Technologies Private Limited vs. Government of NCT of Delhi & Ors.*, taking note of an office order dated 25th May, 2016 issued by the Union of India. By the office order dated 25th May, 2016, the Union of India has appointed a Committee to examine all relevant issues regarding existing permits given to black/yellow taxis, radio taxis, aggregators etc. The said Committee includes the Transport Commissioner of the Government of NCT of Delhi.

2. By the order dated 11th August, 2016, the Id. Single Judge directed inclusion of senior officials from the Department of Ministry of Information Technology, Union of India and the Central Pollution Control Board as well as a senior police official from Delhi Traffic Police, to be nominated by the Commissioner of Police, Delhi as the member of the Committee.

As per affidavit of the Union of India, this Committee is stated to be seized of the matter.

3. We are today informed by Mr. Sanjoy Ghose, Id. Additional Standing Counsel for respondent no.1, that the Committee has given its report. So far as matter before the Id. Single Judge is concerned, it is pending for examination of the amendments to the

Rules by the Government of NCT of Delhi and the other States in accordance with the recommendations of the Committee.

4. So far as the present writ petition is concerned, the petitioner makes the following prayer in the writ petition :

(i) Issue a writ in the nature of Mandamus or any other writ, order or direction thereby directing the Respondent nos.1-3 to enforce the orders passed by this Hon'ble Court and the Hon'ble Supreme Court of India against diesel taxis operating across point to point basis within NCT of Delhi ; and/or

(ii) Issue a writ in the nature of Mandamus or any other writ, order or direction thereby directing the Respondent no.1 to forthwith notify and or implement the Directive issued by the respondent no.4 for licensing of on-demand transportation technology aggregators insofar as NCT of Delhi is concerned; and/or

(iii) Pass such other or further order(s) as this Hon'ble Court may deem fit and proper in the interest of justice."

5. It is submitted by writ petitioner that the second prayer, as extracted above, is not satisfied. We do not agree. The Committee which was appointed by the Central Government and has submitted a report would have considered this aspect of the matter. So far as the correction/amendment of the rules is concerned, the matter is pending for consideration before the Id. Single Judge.

6. We therefore, are not inclined to keep this writ petition pending any further. The same is disposed of.

7. Mr. Sanjoy Ghose, Id. Additional Standing Counsel for respondent no.1 shall ensure that a copy of the report, which was prepared by the Committee, is furnished to Id. counsel for the petitioner within two week from today. In case there are any additional matters which according to the petitioner deserve consideration, liberty is given to the petitioner to place the same before the Id. Single Judge.

The writ petition is disposed of.

Dasti.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J

JULY 10, 2017

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