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

% **Date of Decision: 26th February, 2018**

+ **W.P.(C) 5902/2017**

RASHTRIYA RAJDHANI KSHETRA

TIPAHYA CHALAK UNION DELHI Petitioner

Through: Mr. Arvind Kumar with Ms.
Shashi Kiran, Advs.

versus

COMMISSIONER OF TRANSPORT

& ORS

..... Respondent

Through: Mr. Satyakam, ASC with
Mr. Shashwat Parihar, Adv.
for GNCTD.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT (ORAL)

GITA MITTAL, (ACTING CHIEF JUSTICE)

1. This writ petition complains that a large number of private buses as well as taxis, registered in Uttar Pradesh, enter into Delhi through different entry points, run on several routes of Delhi, carrying passengers as well as picking up passengers from point to point basis without having proper permission and permit from the Govt. of NCT of Delhi.
2. The writ petition submits that these vehicles also do not follow the permit conditions of the registration and disobey the rules and traffic regulations as applicable in NCT of Delhi.
3. The Commissioner of Transport - respondent no.1 has filed

its status report dated 13th November, 2017 under the signatures of Mr. D.R. Arora, Dy. Commissioner, Enforcement, setting out the details of the action taken regularly against such vehicles by the enforcement wing of the Transport Department of the Govt. of NCT of Delhi. It is submitted that the area which has to be covered is large; entry points are multiple; and that the mobile teams of the enforcement wing of the Transport Department are regularly taking action against such vehicles in accordance with the provisions of the Motor Vehicles Act, 1988 and Rules made thereunder.

4. The Delhi Traffic Police (respondent no.3) has filed a counter affidavit dated 10th November, 2017 under the signatures of Mr. Vijay Singh, Dy. Commissioner of Police, Traffic (HQ), contending that it has also directed its Field Officers to take strict action in respect of buses entering illegally at the borders. In this regard, it is submitted that in the year 2016, a total of 293 buses registered in the State of U.P. were found to be plying without proper permit and have been prosecuted. Furthermore, in the year 2017, 468 registered buses have been prosecuted. Apart from regular action, surprise raids are also conducted in an attempt to prosecute illegal buses which ply without the authority of law.

5. Delhi Traffic Police has disclosed that its Field Officers are briefed regularly to ensure traffic discipline on the roads of Delhi and are instructed to take strict action against the violators who are flouting the traffic rules.

6. It would appear from the above that the respondents are conscious of their responsibilities to strictly enforce the provisions

of the Motor Vehicles Act, 1988 and the Rules made thereunder.

7. We are further informed that there are several orders on this issue which have been passed by the Supreme Court of India, this court as well as by the National Green Tribunal.

8. This writ petition is disposed of with a direction to the respondents to ensure that there is no violation of the orders of the Supreme Court of India, this Court as well as the National Green Tribunal passed in this regard. The respondents shall also strictly ensure that the provisions of the Motor Vehicles Act, 1988 and the Rules made thereunder are complied with.

Dasti.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J

FEBRUARY 26, 2018/pmc