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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(C) 10846/2018 & CM APPL. 42320/2018
NOIDA AUTO RICKSHAW CHALAK ASSOCIATION (NCR)
..... Petitioner
Through: Mr. Om Prakash Gupta, Adv.

versus

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
DELHI AND ORS. Respondent
Through: Mr. Amit Dubey, Adv. for R-3 & 4.
Mr. Amit Gupta, Adv. for R-5.

CORAM:
HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER
% **16.11.2018**

Vide the present petition, the petitioner had sought that the respondent no.1 Government of NCT of Delhi, respondent no.2 Transport Department, Government of NCT of Delhi, respondent no.3 Government of Uttar Pradesh, Chief Secretary, UP Secretariat, Lucknow, respondent no.4 Transport Department Uttar Pradesh, Regional Transport Authority, Gaziabad and respondent no.5 National Capital Region Planning Board (Ministry of Housing and Urban Affairs) Core-IV B, First Floor, India Habitat Centre, Lodhi Road, New Delhi be directed not to stop/prohibit the plying of NCR auto rickshaws holding NCR permit after 13.10.2018 on the expiry of the Reciprocal Transport Agreement dated 14.10.2008 and also sought that directions be issued to the respondents to extend/ renew

the agreement dated 14.10.2008 and to make a permanent policy/solution on the plying of auto rickshaws in the NCR region.

Vide the order dated 10.10.2018, notice of the petition and of the accompanying application CM APPL.42320/2018 that had been filed by the petitioner seeking an ex-parte interim relief seeking that the respondents do not prevent the plying of the auto rickshaw in the NCR region after 13.10.2018, having been issued to the respondent nos.3 to 5 who are now represented and having been accepted on behalf of the respondent nos.1 & 2 who were present, the petitioner herein is indicated to have assailed the order dated 10.10.2018 of this Court vide LPA 586/2018.

Vide order dated 22.10.2018 in LPA 586/2018, the Hon'ble Division Bench has disposed of the said appeal and the accompanying application filed by the petitioner herein with directions to the respondents to proceed with the matter and to take action as contemplated in the order dated 16.10.2018. Learned counsel for the petitioner has himself put forth the order dated 16.10.2018 which has been issued by the Member Secretary, NCRPB & Chairman, Committee of Transport Secretaries/Commissioners (CoTS). It is indicated vide clause-6 thereof which reads to the effect:

“In continuation of the same, in order to avoid inconvenience to general public using mode of public transport having NCR permits, it is directed that the terms and conditions of agreement dated 14.10.2008 be abided for another six months beyond 13.10.2018 and status quo be maintained till further order.”

It is indicated thereby that in order to avoid inconvenience to the general public using mode of public transport having NCR permits, it is directed by the NCRPB which is arrayed as the respondent no.5 to the present petition that the terms and conditions of the agreement dated 14.10.2008 be abided for another six months beyond 13.10.2018 and status quo be maintained till further orders.

Presently, in terms of order dated 22.10.2018 of the Hon'ble Division Bench in LPA 586/2018 and the order dated 16.10.2018 which has been directed to be abided by vide order dated 22.10.2018, there is no cause of action that presently survives in favour of the petitioner. In the event of the petitioner having any grievance after a period of six months from the date 14.10.2018, it would be open to the petitioner to seek redressal in accordance with law.

The petition W.P.(C) 10846/2018 calls for no further action and is disposed of accordingly.

ANU MALHOTRA, J

NOVEMBER 16, 2018

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