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

Date of decision: 23rd October, 2019

+ **W.P.(C) 11320/2019 & CM APPL. 46594/2019 (*Exemption*)**

DR NAND KISHORE GARG Petitioner

Through: Mr. Sandeep Sharma, Adv. with
Mr. Shashank Deo Sudhi,
Mr. Vikas Sharma, Mr. Amit
Choudhary and Mr. Sarthak
Mannan, Advs.

versus

GOVT OF NCT OF DELHI & ANR. Respondents

Through: Mr. Sanjay Jain, ASG with
Mr. Sanjoy Ghose, ASC for R-1
/GNCTD
Mr. Atul Verma, Adv. for
Mr. Sanjeev Ralli, Adv. for R-2

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER

% **23.10.2019**

D.N. PATEL, CHIEF JUSTICE (ORAL)

CM APPL. 46594/2019 (*exemption*)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 11320/2019

1. This Public Interest Litigation has been preferred with the following prayers:

“(a) Issue a direction in nature of mandamus or any other appropriate writ, order/direction or directions to respondent

No.1 for an exemption of CNG driven vehicles during period of odd and even scheme w.e.f. 04.11.2019 to 15.11.2019.

and/or

(b) Restrain the respondent No.1 from implementing the arbitrary odd and even scheme in Delhi to protect the interest of owners of CNG driven vehicles of Delhi.

and/or

(c) Pass such further order(s) as may be deemed fit and proper under the facts and in the circumstances of the case.”

2. Having heard learned counsel for both the sides and looking to the facts and circumstances of the case, we see no reason to entertain this writ petition, mainly for the following facts and reasons:

- (i) the Scheme, which is referred to by this petitioner, is not on record,
- (ii) no representation has been preferred by this petitioner to the respondents before coming this court.

3. However, we direct the respondents to treat this writ petition as a representation and may decide the claim of this petitioner for exemption of CNG driven vehicles during period of odd and even scheme w.e.f. 4th November, 2019 to 15th November, 2019 as early as possible and practicable.

4. With these observations, this writ petition is hereby disposed of.

CHIEF JUSTICE

C. HARI SHANKAR, J.

OCTOBER 23, 2019/dsn