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

Date of decision: 01.11.2019

+ W.P.(C) No.11551/2019

SANTOSH GUPTA

..... Petitioner

Through

Mr.Abhijit Sinha, Adv. with Mr.Akhil Sachar, Adv.

versus

GOVT. OF NCT OF DELHI AND ORS.

..... Respondents

Through

Mr.Sanjay Jain, ASG with Mr.Sanjay Ghose, Adv. & Mr.Naman Jain, Adv. for R-1 & 2/GNCTD.
Mr.Rajesh Kumar, Adv. for R-3.
Mr.Deepayan Mandal, Adv. for R-4.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

JUDGMENT

D.N. PATEL, Chief Justice (Oral)

CM No.47471/2019 (for exemption)

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

W.P.(C) 11551/2019 & CM No.47470/2019 (for interim relief)

1. This petition has been preferred with the following prayers:-

“a) Issue a Writ, Order or direction in the nature of Mandamus and/or a Writ, order or direction in the nature of Mandamus calling for the records of

the case and after examining the legality and validity of the same call upon the Respondent No.1 to disclose as to whether Private CNG Vehicles shall be restricted In the forthcoming Odd Even Scheme In the National Capital Territory of Delhi from 04.11.2019 to 15.11.2019;

b) In the event, the Respondent No.1 informs that there would be such a restriction, issue a Writ, Order or Direction in the nature of Certiorari and/or a Writ, order or direction in the nature of Certiorari calling for the records of the case and after examining the legality and validity of the same quash any purported Notification/Office Order/Executive Direction issued by the Respondents restricting the plying of Private CNG Vehicles in the proposed Odd-Even Drive to be scheduled to be held from 04.11.2019 to 15.11.2019;

c) Issue a Writ, Order or direction in the nature of Mandamus and/or a Writ, order or direction in the nature of Mandamus calling for the records of the case and after examining the legality and validity of the same direct the Respondents to permit all private CNG vehicles to ply in the proposed odd-even drive to be scheduled to be held from 04.11.2019 to 15.11.2019;

d) Pass such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case."

2. It is submitted by counsel for the petitioner that the representation preferred by the petitioner is pending with the respondents. Learned Additional Solicitor General appearing for the respondent nos.1 & 2 submitted that the said representation would be decided as early as possible.

3. In view of the aforesaid statement and as the representation of

the petitioner is pending with this respondent no.1 & 2, we hereby direct the respondent nos.1 & 2 to decide the representation of the petitioner (which is annexure P-6 to the writ petition), in accordance with law, rules, regulations and Government policies applicable to the facts of the case, as early as possible and practicable, preferably on or before 05.11.2019. Counsel for the respondent no.4 also seeks some directions from this Court to the respondent nos.1 & 2. The respondent no.4 may also make a representation before respondent nos.1 & 2 whereupon the respondent nos.1 & 2 will take into consideration the contention of respondent no.4.

4. With these observations, this writ petition is hereby disposed of along with pending application.

CHIEF JUSTICE

C.HARI SHANKAR, J

NOVEMBER 01, 2019/aa