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

+ W.P.(C) 4890/2020

LALA RAM Petitioner

Through: Mr. Arpit Verma, Advocate.

versus

DELHI STATE TRANSPORT AUTHORITY & ANR.

....Respondents

Through: Mr. Shadan Farasat, Advocate for R-1.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **04.08.2020**

The hearing was conducted through video conferencing.

CM APPL. 17653/2020 (Exemption)

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

CM APPL. 17654/2020 (Exemption from court fee)

3. Exemption allowed, subject to the condition that the petitioner will file the duly sworn/attested affidavit and the requisite court fee within 72 hours from the date of resumption of the regular functioning of this Court.
4. The application stands disposed-off.

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5. Issue notice.
6. The learned counsel named above accepts notice on behalf of respondent no. 1.
7. Vide challan dated 21.03.2020, the petitioner's vehicle has been

impounded because it is stated to be in violation of the Motor Vehicles Act, 1988 and the Rules framed thereunder.

8. The nationwide lockdown came into effect from 25.03.2020. However, according to the learned counsel for respondent no.1, the lockdown apropos interstate movement of commercial vehicles, had been lifted w.e.f. 01.06.2020, as per guidelines issued by the Ministry of Home Affairs. The learned counsel for the petitioner contends that at the time, only movement of persons was allowed and plying of commercial vehicles was not permitted; therefore, the petitioner could not have taken his vehicle from Delhi to Bulandshahr, (UP), where he resides and was held up all this while. He submits that unrestricted inter-state and intra-state movement was only allowed from 01.07.2020. Per day parking charges Rs. 3,000/- has been for the June 2020 (Rs. 90,000), alongwith other charges. The learned counsel for the respondent- Transport Authority states, that no charges have been levied on the petitioner for the lockdown period i.e., till the end of May 2020. However, towing and other applicable charges will be payable.
9. At the petitioner's request, this petition shall be treated as his representation by respondent no.1 on which a view shall be taken within 10 days, the petitioner will be heard through teleconference, as to whether parking charges may be levied for the month of June, 2020. The petitioner shall pay all applicable charges and penalties before the vehicle is released. However, from now till the date the decision is taken, parking charges shall not be levied.
10. The petition is disposed-off in the above terms.

11.The order be uploaded on the website forthwith. Copy of the order be also forwarded to the counsels through e-mail.

NAJMI WAZIRI, J

AUGUST 04, 2020/RW