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

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Judgment delivered on: 25.03.2022

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W.P.(C) 4981/2022 & CM. APPL. 14810/2022

DR. PENTAPATI PULLA RAO

..... Petitioner

versus

NCT OF DELHI & ORS.

.....Respondent

Advocates who appeared in this case:

For the Petitioner: Mr. Sravan Kumar, Ms. Medha Singh and Ms. Kabamdailiu Pamei, Advocates.

For the Respondent: Mr. Rishikesh Kumar, ASC with Mr. Rizwan and Ms. Sheenu Priya, Advocates for respondents No.1 and 3.

Mr. Jaswinder Singh and Mr. Nirvikar Verma, Advocates for R-2/UOI.

CORAM:-

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

JUDGMENT

SANJEEV SACHDEVA, J. (ORAL)

1. Petitioner seeks a declaration that the public notice dated 30.10.2018, issued by the Transport Department, Government of NCT of Delhi is arbitrary and contrary to Article 14 and 21 of the Constitution.

2. Learned counsel for petitioner submits that the Union of India



has issued the Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility) Rules, 2021 and the public notice dated 30.10.2018 runs contrary to that.

3. Petitioner further prays that the registration of the Honda City car of the petitioner be renewed if the fitness and pollution emission norms are within the Automotive Industry Standards of 2021 (AIS 129)

4. Perusal of the impugned public notice dated 30.10.2018 shows that the said notice has been issued pursuant to the order passed by the National Green Tribunal (NGT) dated 26.11.2014 and 07.04.2015 in the matter of *Vardhman Kaushik Vs. Union of India*, whereby the NGT had prohibited plying of petrol vehicles of more than 15 years of age and diesel vehicles of more than 10 years of age in Delhi and NCR region.

5. The public notice further records that the Supreme in Writ Petition (Civil) 13029/1985, titled *M.C. Mehta Vs. Union of India* by its order dated 28.10.2018 has directed that all diesel vehicles which are more than 10 years old and petrol vehicles which are 15 years old shall not be permitted to ply in the NCR region in terms of the order of the NGT dated 07.04.2015.

6. The vehicle of the petitioner is a petrol vehicle, which was originally registered on 05.02.2006 and completed 15 years on 04.04.2021.



7. In view of the orders passed by the NGT as also the Supreme Court, petitioner cannot seeks renewal of the registration of the petrol vehicle after completion of 15 years for the purposes of plying in Delhi NCR.

8. In terms of the policy of the Government of NCT of Delhi, NOC can always be obtained by the petitioner for transfer of vehicle, subject to other norms, in areas which are permitted in terms of the order of the NGT as well as the Supreme Court.

9. In view of the above, that relief sought for by the petitioner cannot be granted in this petition. The Petition is accordingly dismissed.

MARCH 25, 2022
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SANJEEV SACHDEVA, J.

न्यायमेव जयते