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

+ **W.P.(C) 1011/2024**

VISHAL

..... Petitioner

Through: **Mr. Vishnu Deo Yadav, Adv.**

versus

TRANSPORT DEPARTMENT (GOVT OF NCT OF DELHI)

..... Respondent

Through: **Mr. Mohit Bhardwaj, Panel Counsel,
GNCTD for respondent.**

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

23.01.2024

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CM APPL.4215/2024 (exemption)

Allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 1011/2024

1. The present petition seeks release of the vehicle bearing no.CH-03N-8772 to the petitioner. It is stated that the said vehicle has been seized by the respondent *vide* challan no. DL-6710231223072310 on 23.12.2023.
2. After some hearing, learned counsel for the respondent who appears on advance notice submits that he has no objection to the vehicle being released subject to the registered owner of the vehicle *i.e.*, Mr. Ravinder Singh filing an appropriate undertaking with the respondent, as in other similar matters.



3. Learned counsel for the petitioner submits that the petitioner has purchased the vehicle from Mr. Ravinder Singh, however, he submits that he shall arrange for an appropriate undertaking to be submitted by Mr. Ravinder Singh to the department.

4. On the undertaking being furnished by the registered owner of the vehicle *i.e.*, Mr. Ravinder Singh, the vehicle shall be released by the respondent subject to the following conditions: -

a. Mr. Ravinder Singh will file an affidavit of undertaking with the Enforcement Officer, Department of Transport, GNCTD within two weeks from today to the effect that if the vehicle is released to him, it will not be plied or parked in any public space within the territory of NCT of Delhi, and will be removed from the NCT of Delhi within two weeks after release.

b. The undertaking will also state that the vehicle will be towed or otherwise transported to the borders of the NCT of Delhi.

c. Upon the affidavit of undertaking being received by the Enforcement Officer, he/she will facilitate the release of the vehicle by the scrapping agency to Mr. Ravinder Singh within one week thereafter.

d. Mr. Ravinder Singh will also file an affidavit before the Enforcement Officer within four weeks after the release of the vehicle stating that the vehicle has been removed from the territory of the NCT of Delhi.

e. In case the vehicle is registered in Delhi, Mr. Ravinder Singh may apply for issuance of NOCs for transport of vehicles outside Delhi. The NOCs will be processed in accordance with law, within a period of two weeks from the date of the application.

5. Further, in line with the directions issued in W.P.(C) 10749/2023 & connected matters, the petitioner and/or Mr. Ravinder Singh shall be liable



for towing charges of approximately Rs.2,000 or Rs.2,500/- per vehicle. However, no parking charges will be payable to the scrapping agencies.

6. The present petition stands disposed of in the above terms.

SACHIN DATTA, J

JANUARY 23, 2024/r