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

+ **W.P.(C) 1735/2024**

CHETAN PRAKASH

..... Petitioner

Through: Mr. Anil Kr. Aggarwal, Adv.
versus

GOVT. OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Mohit Bhardwaj, Adv. for R-1.
Mr. Umang Tyagi, Adv. for R-2
/MCD.
Mr. Dhruv Gautam and Mr. Tushar
Tyagi, Advs. for R-3.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

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06.02.2024

CM APPL.7207/2024 (Exemption)

Allowed, subject to all just exceptions.

Application stands disposed of.

W.P.(C) 1735/2024 and CM APPL.7206/2024 (Stay)

1. The present petition has been filed by the petitioner seeking release of his vehicle *i.e.* Santro (Petrol/CNG), having registration number DL7CJ4907, which has been seized by the respondents.
2. It is sought that the respondents be directed to release the seized vehicle in line with the directions passed by this Court in W.P.(C) 10749/2023 & connected matters.
3. Considering the submissions of the parties and the order passed by the coordinate bench of this Court in the aforesaid W.P.(C) 10749/2023



&connected matters, the following directions are issued:-

- a. The petitioner will file an affidavit before the Enforcement Officer, Department of Transport, GNCTD within two weeks from today, undertaking that if the vehicle is released to him, it will not be plied on the streets of Delhi or parked in any public space within the NCT of Delhi, and that they will be kept in a private parking space available to the petitioner.
 - b. Alongwith the aforesaid affidavit of undertaking, the petitioner will produce evidence of availability of private parking space, either owned or leased by him, or accompanied by a consent letter of the owner or lessee permitting them to park their vehicle indefinitely in the aforesaid private parking.
 - c. It is made clear that the private parking space must be one within the premises owned or leased by the vehicle owner, and not a space in a shared parking lot, even if it is part of a residential complex.
 - d. The respondents may verify the availability of the aforesaid private parking space within a period of four weeks after the filing of the undertaking, and upon due verification, the vehicle may be released to the petitioner within a period of one week thereafter.
 - e. It is made clear that the aforesaid undertaking recorded on behalf of the petitioner will be treated as undertaking made to this Court, and that any breach of the undertaking may invite action for Contempt of Court.
4. Further, in line with the directions issued in W.P.(C) 10749/2023 & connected matters, the petitioner 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.
5. With the aforesaid directions, the present petition, along with pending application, is disposed of.

FEBRUARY 6, 2024/cl

SACHIN DATTA, J