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

+ **W.P.(C) 4916/2024 and CM APPL.20152/2024 (Stay)**

JAGTAR SINGH

..... Petitioner

Through: Mr. Kirti Uppal, Sr. Adv. along with
Mr. Rohan Sharma, Ms. Indira Marle
and Ms. Riya Gulati, Advs.

versus

MUNCIPAL CORPORATION OF DELHI AND ORS.

..... Respondents

Through: Mr. Sanjeev Sagar and Ms. Nazia
Parveen, SC for MCD.

Mr. Prashansa Sharma and Mr.
Rishabh Srivastava, Advs. for Mr.
Santosh Kumar Tripathi, SC, Civil for
GNCTD.

ASI Devender Singh, Parvi Officer,
Traffic and Inspector Ganpati
Maharaj, TI, Kotwali.

CORAM:

HON'BLE MR. JUSTICE SACHIN DATTA

ORDER

10.04.2024

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1. The petitioner in the present petition is stated to be a parking contractor in respect of a multilevel underground parking site at Parade Ground. It is averred in the petition that there is rampant illegal parking in the areas around the parking site of the petitioner.

2. Specific attention is drawn to the rampant illegal parking that is taking place in the following areas:

- (i) On the pavement next to clock market near MLUG Parade Ground Parking Site.
- (ii) On the pavement of the Subway near Clock Market next to MLUG



- Parade Ground Parking Site.
- (iii) In front of the Lal Jain Mandir.
 - (iv) On the pavement opposite to MLUG Parade Ground Site i.e., on Red Fort Patri.
 - (v) On the pavement opposite to MLUG Parade Ground Site outside the Red Fort Park.
 - (vi) On both sides of Hanuman Temple.
 - (vii) Inside and outside the Clock Market.
 - (viii) Near cycle Market.
 - (ix) Near Camera Market.

3. Attention is drawn to the fact that the MCD itself, in numerous communications, has acknowledged the aforesaid illegal parking. In this regard, specific attention is drawn to the communication/s addressed by the MCD, filed as Annexures P-17, P-18 and P-23 to the present petition.

4. Learned counsel for the MCD does not oppose the prayer sought by the petitioner regarding the action sought against the illegal/unauthorized parking in the aforesaid areas referred to by the petitioner.

5. Accordingly, as suggested by respective counsel, the concerned SHO, PS Kotwali, HC Sen Marg, Kaccha Bagh Area, Chandni Chowk as also the concerned Joint Commissioner, Traffic are directed to increase the vigil in the aforesaid areas and ensure that there is no unauthorized parking. In case, any specific instance of an illegal parking is informed by the petitioner, the aforesaid officials shall take immediate and effective action with regard thereto, under intimation to the petitioner.

6. Learned senior counsel for the petitioner further submits that substantial financial loss has been caused to the petitioner on account of the subsistence of rampant illegal parking inasmuch the petitioner is required to pay a monthly licence fee of Rs.78,50,000/- to the respondent no.1, despite the fact that the revenues of the petitioner are adversely hit on account of the



aforesaid rampant illegal parking. He submits that the petitioner is entitled to a remission in the licence fee on account of the illegal parking that has been taking place, just adjacent to the parking site of the petitioner.

7. After some hearing, respective counsel for the parties are in agreement that a representation in this regard be made by the petitioner to the respondent no.1/MCD. The said representation shall be duly considered by the MCD, after affording an opportunity of hearing to the petitioner and a speaking order shall be passed thereon, within a period of four weeks from today.

8. Needless to say, no coercive/precipitative steps shall be taken by the respondent no.1/MCD till completion of the aforesaid exercise.

9. In case the petitioner is aggrieved with the outcome of the aforesaid exercise, it shall be entitled to avail appropriate remedies in accordance with law.

10. With the aforesaid directions, the present petition, alongwith pending applications/s stands disposed of.

SACHIN DATTA, J

APRIL 10, 2024/cl