



\$~10

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

+ W.P.(C) 11458/2024 & CM APPL. 47538/2024

ANAND TIWARI

.....Petitioner

Through: Mr. Deepak Arora, Advocate.

versus

GOVT OF NCT OF DELHI & ANR.

.....Respondents

Through: Mr. Tushar Sannu & Mr. Manoviraj Singh, Advocates for GNCTD.

Mr. Ankit Rajgarhia & Mr. Rohit Kumar, Advocates for R-2. [M:-7004024218]

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

%

06.12.2024

1. The petitioner has filed this petition under Article 226 of the Constitution, seeking a direction to set aside the memorandum dated 09.07.2024, by which his vehicle bearing registration No. *HR38T5090* was seized, and for a further direction upon the respondents to release the vehicle to him.

2. The petitioner's vehicle is a diesel vehicle registered on 07.07.2014. It has thus completed more than ten years of age and, therefore, qualifies as an "*End of life Vehicle*" under the Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility) Rules, 2021. The vehicle has therefore been seized in compliance of directions of



National Green Tribunal dated 07.04.2015 in O.A. 21/2014 [*Vardhaman Kaushik & Ors. vs. Union of India*] and the order of the Supreme Court dated 29.10.2018 in W.P.(C) 13029/1985 [*M.C. Mehta vs. Union of India & Ors.*].

3. Government of National Capital Territory of Delhi [“GNCTD”] has framed a policy titled “Guidelines For Handling End of Life Vehicles in Public Places of Delhi, 2024” [“Policy”] on 20.02.2024, which provides for release of vehicles upon the conditions stated therein. The guidelines are annexed to the writ petition at annexure P-4 but the petitioner has not applied to GNCTD in terms of the Policy.

4. Mr. Deepak Arora, learned counsel for the petitioner, states that the petitioner will do so within one week from today, with the requisite documents. Learned counsel for GNCTD states that, upon receipt of the application, it will be processed in accordance with law.

5. The writ petition, alongwith pending application, is disposed of in terms of the aforesaid submissions.

6. Learned counsel for GNCTD states that the vehicle is lying at the Burari Pit of the Transport Department, GNCTD. To enable the petitioner to approach GNCTD in terms of these directions, it is directed that *status quo* will be maintained as far as the vehicle is concerned, for a period of four weeks from today.

PRATEEK JALAN, J

DECEMBER 6, 2024

‘pv/JM’/