



\$~42

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

+ W.P.(C) 16413/2024

PRAGARAM RAWALPetitioner

Through: Appearance not given.

versus

THE TRANSPORT DEPARTMENTRespondent

Through: Mr. Avishkar Singhvi, ASC for
GNCTD.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER
% **27.11.2024**

CM APPL. 69136/2024 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 16413/2024

1. The petitioner has approached this Court under Article 226 of the Constitution, for a direction to release a vehicle bearing registration No. *RJ14CG4218*, which was seized by the respondent on 17.11.2024.
2. It is the undisputed position that the vehicle is a petrol vehicle, more than fifteen 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 plying of such vehicles within the National Capital Territory [“NCT”] of Delhi is impermissible



under the orders of the 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. As far as the release of such vehicles is concerned, the Government of NCT of Delhi has framed a policy titled “Guidelines For Handling End of Life Vehicles in Public Places of Delhi, 2024” [“Policy”] on 20.02.2024. The Policy provides for the conditions in which a vehicle may be released, including a vehicle registered outside the NCT of Delhi, as in the present case. The petitioner has not applied to the authorities for release of the vehicle in terms of the Policy.

4. The writ petition is therefore premature, and is disposed of, with liberty to the petitioner to apply in terms of the Policy. In the event the petitioner’s application is not allowed, he may approach the Court afresh.

5. The vehicle was seized on 17.11.2024, and the Policy provides for a period of three weeks for the release application to be submitted. As there is ample time for the petitioner to make the application, no further orders are required in this writ petition.

PRATEEK JALAN, J

NOVEMBER 27, 2024/MR/JM/