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

+ W.P.(C) 17694/2024 & CM APPL. 75327/2024
ANAMIKA

.....Petitioner

Through: Mr. Vishnu Deo Yadav, Advocate.

versus

TRANSPORT DEPARTMENT (GOVT OF NCT
OF DELHI) AND ANR

.....Respondents

Through: Ms. Astha Gupta, Panel Counsel
for GNCTD.

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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24.12.2024

1. The petitioner has approached this Court under Article 226 of the Constitution, seeking release of a vehicle bearing No. DL3CQ6579, which has been seized by the respondent No. 1 - Transport Department, Scrapping Cell, Government of National Capital Territory of Delhi ["GNCTD"], on 13.11.2024.

2. It appears from the seizure memo that the vehicle has been seized on the ground that it is a petrol vehicle of more than 15 years of age, and therefore falls in the category of "*End-of-Life*" vehicle under the Motor Vehicles (Registration and Functions of Vehicle Scrapping Facility) Rules, 2021.

3. As far as "*End-of-Life*" vehicles are concerned, GNCTD has formulated the *Guidelines for Handling End of Life Vehicles in Public*



Places of Delhi, 2024 dated 20.02.2024 [“the Policy”], which provides for the conditions upon which a vehicle may be released to the owner, either on the undertaking that it will be parked in a private parking space available to the owner, or that it would be removed from the NCT of Delhi. In either case, the owner is required to undertake that the vehicle will not be plied in the NCT of Delhi.

4. Mr. Vishnu Deo Yadav, learned counsel for the petitioner, submits that the petitioner intends to park the vehicle in a private parking place, but the respondents have not accepted her request and documents for this purpose.

5. Ms. Astha Gupta, learned Panel Counsel for GNCTD, upon instructions, submits that the petitioner has not supplied the documents to identify the precise location where the car is to be parked, or the title documents and/or No Objection Certificate to show that the petitioner will be permitted to park the vehicle at the said place.

6. Having regard to these submissions, it is directed that the petitioner or her representative will report to the Transport Department, Scrapping Cell on 27.12.2024 at 11:30 AM, with the affidavit and documents in terms of the Policy. If any further documents are required, the petitioner may also submit the same within a period of one week thereafter. GNCTD will take a decision in accordance with the Policy, and communicate the same to the petitioner.

7. I am informed that the vehicle in question has not yet been scrapped. The respondents are directed to maintain *status-quo*, with regard to the vehicle, for a period of one week, after the decision is communicated to the petitioner.



8. The petition, alongwith the pending application, is disposed of.

PRATEEK JALAN, J

DECEMBER 24, 2024
SS/AD/