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

+ **W.P.(C) 1336/2025**

**MRS. SANGEETA B. AGARWAL THROUGH
ITS AR**

.....Petitioner

Through: Mr. Mayank Tushamar, Mr. Prashant
Rawat and Ms. Khushi Sharma, Advocates.

versus

GOVT. OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Nishank Tyagi, Panel Counsel for
GNCTD/R-1 to R-3.

Mr. Sunil Goyal, ASC for MCD with Mr. Nitin
Kala and Mr. Rachit Gupta, Advocates for R-5.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

03.02.2025

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CM APPL. 6542/2025

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(C) 1336/2025

3. This writ petition is preferred on behalf of the Petitioner under Article 226 of the Constitution of India seeking a direction to Respondents No. 2 to 4 to release the vehicle of the Petitioner bearing No. RJ14UD5590, which was impounded by Respondents No. 2 and 3 under the '*Guidelines for handling End of Life Vehicles in Public Places of Delhi, 2024*', as also for a direction to compensate the Petitioner for illegally dismantling the vehicle valued at Rs.7 lacs. Direction is also sought to Respondent No. 1 to conduct



an inquiry into the actions of Respondent No. 4 for illegally dismantling the vehicle even after the release order was passed on 03.12.2024 by the Transport Department, GNCTD in favour of the Petitioner.

4. Issue notice.

5. Counsels, as above, accept notice on behalf of the respective Respondents.

6. Learned counsels for the Respondents, at the outset, submit that the prayer for release of vehicle is contradictory to the relief of paying compensation for the scrapped vehicle. In a nutshell, the argument is that while in the entire writ petition, Petitioner pleads that her vehicle has been illegally dismantled and scrapped, in the prayer clause release of the vehicle is sought which is a self-contradictory stand.

7. This Court is in agreement with the objection raised by the Respondents. It is Petitioner's own case in the writ petition that her vehicle has been illegally dismantled and scrapped despite a release order passed by Respondent No. 2. Therefore, the relief of release of vehicle cannot be granted. Insofar as the relief of compensation is concerned, it is settled that in matters of compensation/damages, evidence is required which cannot be led in a writ petition. There are serious disputed questions of fact raised by the respective parties, which cannot be gone into in a writ petition and remedy of the Petitioner lies in approaching a Civil Court.

8. Writ petition is accordingly dismissed, without entering into the merits of the compensation/damages sought by the Petitioner, save and except, with a direction that Respondent No. 4 shall release the admitted scrap value of the vehicle to the Petitioner within four weeks from today. Acceptance of this amount by the Petitioner will be without prejudice to her



rights and contentions to take recourse to appropriate remedies for compensation for the alleged illegal dismantling of the vehicle.

FEBRUARY 03, 2025/shivam

JYOTI SINGH, J