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

% **Date of decision: 6th March, 2025**

+ **CONT.CAS(C) 281/2025**

TYRANCE T BENJAMINPetitioner

Through: **Mr. Neeraj Kumar, Adv.**

versus

STATE (GOVT. OF NCT OF DELHI) & ORS.Respondents

Through: **Mr. Tushar Sannu and Mr. Shivraj Singh Tomar, Advs. with Mr. Rakesh Kumar, DTO, District Transport Officer and Mr. Jaideep, Sr. Assistant/DTO Officer.**

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

DHARMESH SHARMA, J. (ORAL)

1. The petitioner is seeking initiation of contempt proceedings against the respondents for alleged wilful defiance of the directions of this Court dated 10.09.2024.
2. Mr. Tushar Sannu, learned Standing Counsel for the respondents No.1 and 2 is present on advance notice and officials from the office of RTO¹ are present physically present in the Court on advance notice.
3. It appears that there was an issue about certain modification that were carried out by the RTO, Mathura, State of Uttar Pradesh as regards endorsement of the category of the driving license issued in

¹ Regional Transport Office



favour of the petitioner. There was also an issue about some endorsement of the category of the driving license made by the RTO, Gurgaon. This Court *vide* impugned order dated 10.09.2024 referred to the earlier directions passed by this Court on 24.07.2024, which are as under:

- “1. In pursuance of the order dated 06.05.2024 passed by this Court on the last date of hearing, the concerned officer is personally present.*
- 2. Mr. Tushar Sannu, Advocate, who appears on behalf of the officer points out communications dated 18.07.2024 and 22.07.2024. According to him, the said communications are addressed to the District Transport Officer in the State of Haryana wherefrom the license in question was issued in favour of the petitioner.*
- 3. He, therefore, submits that to upload the correct information on sarathi. parivahan.gov.in., the necessary steps will have to be taken by the concerned Transport Department.*
- 4. He also submits that if further time is granted, he will personally look into the issue and ensure that the necessary information flows from the concerned Haryana Department enabling correct information being uploaded on sarathi.parivahan.gov.in .*
- 5. To facilitate the aforesaid exercise, the Court directs the concerned Resident Commissioners of State of Haryana and State of U.P. to also render full co-operation to the Department of Transport, Government of NCT of Delhi.*
- 6. Let this matter be called out on 28.08.2024.”*

4. The learned Single Judge of this Court thereafter referred to the hearing conducted on 28.08.2024 and 02.09.2025 during which two status reports dated 02.09.2024 and 01.09.2024 and the following directions came to be passed:



“6. Having perused the Status Reports filed by the respondents, it is seen that the respondents *vide Annexure R/A* have reflected the correct COV details which can be seen from print out dated 02.09.2024. The document appears to have been issued from the Transport Department, Government of NCT of Delhi, Zonal Office, North West District-II, Rohini.

7. Learned counsel appearing on behalf of the petitioner further submits that if the directions passed by this Court on 15.01.2024 are perused in right perspective, the same would clearly indicate that there were obligations imposed on the part of the official respondents to carry out the correction in webpage/data extracted (*Annexure P- 2* of the main writ petition). He has drawn the attention of this Court to paragraph no.5 of the aforesaid order.

8. Paragraph no.5 of the said order reads as under:-

"5. Accordingly, the present writ petition is disposed of with a direction to the respondent nos.1 and 2 to carry out the necessary rectification in the data depicted on its website so as to ensure that the aforesaid details are correctly recorded therein. In particular, corrections are to be carried out in the webpages/ data extracted and filed as Annexure P-2 of the present petition, so that the same is in consonance with the aforesaid status report filed on behalf of respondent nos.1 and 3."

9. Learned counsel appearing on behalf of the official respondents explains from the Status Reports dated 02.09.2024 and 06.09.2024 that *Annexure P-2* is a print out obtained from backend office, Sarai Kale Khan and the said document is generated on the basis of data entered in the concerned system as was made available by the office of RTA Gurugram, (TR). He, therefore, explains that with respect to the data, henceforth, being reflected on the official website of respondents is concerned, the same stands corrected. He, however, submits that since the data in RTA Gurugram, (TR) and RTA Mathura, further requires correction and so long as the same is not corrected, the said backend office will continue to reflect the already captured details. According to him, no prejudice is caused to the petitioner, as the respondents have correctly shown the details of the license *vide Annexure R/A*.

10. Learned counsel appearing on behalf of the petitioner on the other hand submits that once the directions passed by this Court have not been complied with in its letter and spirit, the respondents be either punished or be further directed to carry out the complete



correction including in *Annexure P - 2*.

11. Having considered the submissions made by learned counsel appearing on behalf of the parties and perusing the record, the Court is of the considered opinion that RTA Gurugram and RTA Mathura, in their respective records appears to have incorrectly captured the details of the petitioner's license.

12. The official respondents in the instant case have tried to resolve the said controversy and have shown to the Court that various steps have been taken by them while bringing the present anomaly to the notice of the concerned offices at RTA Gurugram and RTA Mathura.

13. The respondents, at this stage, further submit that they are still trying to assist the petitioner to get the controversy at hand resolved. The official respondents undertake to assist the petitioner in that behalf. Since the modification in the record of the concerned offices of RTA Gurugram and RTA Mathura is not within the control of the present respondents, they cannot be held guilty for the contempt. They, however, are directed to assist the petitioner in getting the present anomaly resolved.

14. The petitioner is, therefore, directed to get into touch with the official respondents and to take necessary steps in getting the record corrected in the office of RTA Gurugram and RTA Mathura.

15. The official respondents are also directed to deal with the issue with due expedition.”

5. Mr. Tushar Sannu, learned Standing Counsel has submitted that as per *Saarthi* which is the website of the Department of Transport, Government of NCT of Delhi, the driving license of the petitioner was issued in the right category as was claimed by the petitioner and the modification of the driving license was allowed only by the last endorsing authority i.e. Assistant RTO, Mathura, U.P. It is submitted that on receiving letter dated 08.10.2024 from RTO, Mathura about verification of driving license No. HR-5520020223839 (Old DL Number DL-1119990150977), all the documents have since been submitted on 16.10.2024 besides letter dated 22.10.2024. It is also pointed out that relevant documents were submitted with the Accounts



Branch on 28.10.2024 reminder dated 23.11.2024 was also sent to Accounts Branch.

6. During the course of arguments, learned counsel for the petitioner acknowledged that based on the efforts made by the Dealing Clerk Mr. Jaideep Hooda from Transport Office, Delhi, the relevant papers have been submitted with the RTO, Mathura.

7. After some arguments, learned counsel for the petitioner requests that he may be allowed to withdraw the present petition with liberty to pursue his remedy against the RTO, Mathura in accordance with law.

8. Accordingly, the present petition is dismissed as withdrawn without any prejudice.

DHARMESH SHARMA, J.

MARCH 06, 2025 / *Sadiq*