



\$~64

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

+ W.P.(C) 7542/2025

NISHANT GULATI

.....Petitioner

Through: Mr. Aditya with Mr. Kailash Kr. Jha,
Mr. Vipin Kumar, Ms. Pralika
Chakraborty, Ms. Anjani Kr. Mishra,
Adv. with Mr. Nishant Golati, in
person

versus

GOVT. OF NCT OF DELHI AND ORS.

.....Respondents

Through: Ms. Harshita Nathrani, Adv. for Mr.
Sameer Vashisht, SC (Civil) GNCTD
for R-1 and 2
ASI Devender Singh, Parvi Officer
with ASI Bhagat Singh, Circle,
Rohini
Mr. Mukul Singh, CGSC with Ms. Ira
Singh, Mr. Aryan Dhaka, Adv. for
R-3 to 10/UOI

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TUSHAR RAO GEDELA

ORDER

28.05.2025

%

1. Heard learned counsel representing the parties.
2. This public interest litigation petition raises concerns about the measures relating to the road safety, especially the nuisance being caused by overloaded transport vehicles plying in the city and outside, which is an offence.
3. The prayers made in the writ petition are as follows:-

"I. Pass an order directing the respondents to enforce the Road Safety Laws in its letter and spirit.



II. Pass an order directing the respondents to take strict action against the transport vehicles plying overloaded with open trunk (Dala) and over height in the NCT of Delhi under the aegis of transport mafia.

III. Pass an order directing the respondents to take strict action against the transport mafia prevailing throughout the NCT of Delhi including action against the persons operating this nexus.

IV. Pass an order directing the respondents to ensure that no person/labourer shall be seated on the top of the transport vehicles.”

4. Learned counsel representing the respondent nos.3 to 10 has placed before us a Standing Order passed by the Special Commissioner of Police, Delhi, wherein, certain directions have been issued to all concerned for taking appropriate action against violation of traffic rules, and also for identifying such groups/nexus of touts and other unscrupulous elements, who are found providing any types of stickers to vehicles as immunity against violation of traffic rules. The said Standing Order also directs that special drives shall be carried out on regular intervals against such vehicles, and further that, while prosecuting such vehicles, the stickers found affixed shall be destroyed. The Standing Order further provides for taking disciplinary action against the traffic police personnel found indulged in any irregular activity or engaging with private persons.

5. The Standing Order dated 21.03.2025 broadly takes care of the concerns raised by the petitioner in this instant PIL, however, the problem lies in not effectively implementing the said directions. Accordingly, we direct that all the directions issued in the Standing Order dated 21.03.2025,



shall be strictly complied with, and any violation thereon shall be viewed by the authorities concerned seriously as already provided for in the Standing Order dated 21.03.2025 and officials may be visited with disciplinary action in appropriate cases.

6. At this juncture, learned counsel representing the petitioner has stated that the process of obtaining passes for 'No Entry Permits' has been made online, where without verification of the documents submitted by the applicants, permits have been granted.

7. He has thus prayed that the process may be made physical. Having regard to the need of technology driven processes, we are unable to accede to the prayer made by the learned counsel for the petitioner, that the said process be made physical. However, it is also equally relevant to point out, that any such application made online needs to be scrutinised, and documents enclosed therein also need to be verified. We thus, issue direction that while processing an application for 'No Entry Permits', the relevant information being furnished by such applicants shall be scrutinised, and the documents being filed in support of the application shall also be verified, before decision to issue 'No Entry Permits' is taken.

8. The present writ petition stands disposed of in the aforesaid terms.

9. The Standing Order dated 21.03.2025 is taken on record.

DEVENDRA KUMAR UPADHYAYA, CJ

TUSHAR RAO GEDELA, J

MAY 28, 2025/j