



\$~35

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

+ W.P.(C) 9019/2025 & CM APPL. 38413/2025

MINHAZUDDIN

.....Petitioner

Through: Mr. Kripal Singh, Advocate
versus

(GOVT. OF NCT OF DELHI) & ANR.

.....Respondents

Through: Ms. Nitika Bhutani, Advocate for R-1&2 (M:9953572757)
Email: nitikabhutaniadv@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

%

04.07.2025

1. The present writ petition has been filed seeking directions to the respondents to comply with the Notification no. F.NO.DC/SCRAPPING/TPT/2024/12278 dated 20th February, 2024, issued by the respondent no. 2-Transport Department, Government of NCT of Delhi ("GNCTD"), and to release the seized vehicle of the petitioner.
2. Learned counsel for the petitioner submits that the petitioner is a registered vehicle (Bus) owner bearing no. DL 1PC 2549, Chasis no. MAT41207291P31554, Engine no. 90M62817924, Fuel CNG, registered at Delhi vide Registration Certificate dated 24th February, 2010.
3. It is submitted that on 20th February, 2024, respondent no. 2 issued a Notification bearing no. F.NO.DC/SCRAPPING/TPT/2024/12278, wherein, it laid down specific guidelines regarding handling end of life vehicles in public places of Delhi and procedure for its impounding/seizure/scrapping/release ("End of Life Vehicles Guidelines").



4. Learned Counsel for the petitioner further submits that the petitioner is not using his vehicle on the roads in Delhi, as it is under the category of End of Life Vehicles. Thus, it is submitted that the petitioner has kept his vehicle parked at the common parking area at *SSN Marg near Maidan Garhi Cut, Chhatarpur, South Delhi*.

5. It is submitted that the petitioner has been approaching the *Transport Authority, Sarai Kale Khan, New Delhi*, which is under the jurisdiction of respondent no. 2 and also has made several efforts to get a No Objection Certificate (“NOC”) in order to shift his vehicle from Delhi to his native village at *Muzaffarnagar, Uttar Pradesh*. However, the Transport Authority has not passed any orders till now.

6. It is further submitted that on 07th March, 2025, one police official impounded the vehicle of the petitioner from the common parking area at *SSN Marg near Maidan Garhi Cut, Chhatarpur, South Delhi* and seized the same for scrapping purposes by way of a seizure memo bearing no. 3351/TI/MRC dated 07th March, 2025.

7. Learned Counsel further submits that after the petitioner’s vehicle had been seized, he visited the office of the Scrapping Cell, Transport Authority on 24th March, 2025 to get the same released. However, no satisfactory reply was received by him.

8. It is further submitted that the petitioner has also made other efforts for release of his vehicle, however, necessary action has not been undertaken.

9. It is the case of the petitioner that he is ready to shift the vehicle to his native village in Muzaffarnagar, Uttar Pradesh and further undertakes that he is ready and willing to pay tow charges and penalty, as per the End of the



Vehicle Guidelines issued by the respondents.

10. Issue notice. Notice is accepted by learned counsel for the respondents.

11. Learned counsel for the respondents draws the attention of this Court to the afore-noted End of Vehicle Guidelines issued by the Transport Department, GNCTD. She particularly draws the attention of this Court to Clause 6 of the said Guidelines, which relates to the release procedure for release of impounded vehicles registered in Delhi-NCR.

12. Learned counsel for the respondents further submits that in case the petitioner obtains an NOC to shift the vehicle outside of Delhi-NCR, the respondents would have no objection, to the release of the vehicle in favour of the petitioner.

13. Having heard learned counsels for the parties, this Court, at the outset, notes the relevant portion of Clause 6 of the End of Vehicle Guidelines, which reads as under:

“xxx xxx xxx

**6. RELEASE PROCEDURE OF IMPOUNDED VEHICLES
(Registered in Delhi- NCR)**

Category 1: Those who wish to Shift their vehicle out of Delhi-NCR

(i) On plying and parking of ELVs in public place in NCT of Delhi, once impounded for the first time it can be released on the basis of submission of below documents:

a) An undertaking that vehicle will not be plied or parked in any public place within the territory of NCT of Delhi and will be removed from the NCT of Delhi.

b) A copy of the Registration Certificate of the vehicle.

c) NOC of the vehicles to shift the vehicle outside of Delhi-NCR, in case vehicle registered in Delhi-NCR

d) In the case of 4-wheeler, a penalty of Rs 10,000 along with towing charge and parking fee as notified in Delhi Maintenance and Management of Parking Places Rules, 2019 (hereinafter “Parking Rules 2019”), shall be charged before releasing of such



ELVs.

e) In the case of 2-wheeler, a penalty of Rs 5,000 along with towing charge and parking fee as notified in Parking Rules 2019 shall be charged before releasing of such ELVs.

(ii) On submission of above document, Enforcement agency will issue releasing order based on which concerned RVSF can release the vehicle from their scrapping yard.

In case, vehicle is already outside of Delhi-NCR after seizure, it shall not be allowed to enter in Delhi-NCR and should be shifted outside of Delhi-NCR from scrapping yard itself.

xxx xxx xxx”

(Emphasis Supplied)

14. Perusal of the aforesaid Guidelines shows that an NOC has to be obtained by the owner of a vehicle, in case the owner wishes to shift the vehicle outside of Delhi-NCR.

15. Considering the submissions made before this Court, it is directed as follows:

- I. Petitioner shall apply for release of his vehicle in terms of the ‘Guidelines for Handling End of Life Vehicles in Public Places of Delhi dated 20th February, 2024’ read with the Standard Operating Procedure for releasing End of Life Vehicles seized as part of enforcement drive, as per Para 6 and 7 of the Guidelines for Handling End of Life Vehicles in Public Places, 2024.
- II. The petitioner shall approach respondent no. 2 for the purpose of release of his vehicle, i.e., bus bearing no. DL 1PC 2549, Chasis no. MAT41207291P31554, Engine no. 90M62817924.
- III. The petitioner shall carry all the requisite documents which are required to be filed in terms of the Delhi Maintenance and Management of Parking Places Rules, 2019.



- IV. The petitioner shall also pay the penalty, towing charges, parking fees and other charges, including, depositing of any documents in terms of Delhi Maintenance and Management of Parking Places Rules, 2019.
- V. The petitioner shall submit an undertaking that the petitioner shall not ply or park the said bus in any public place, within Delhi.
- VI. The petitioner shall also obtain an NOC from the Transport Department for shifting the vehicle from Delhi to his native village in Muzaffarnagar, Uttar Pradesh.
16. Upon the aforesaid compliances being completed by the petitioner, the vehicle of the petitioner shall be released to the petitioner who shall take the said vehicle to his native village in Muzaffarnagar, Uttar Pradesh, in terms of the submissions made in the present writ petition, subject to obtaining the NOC from the Transport Department.
17. In the meanwhile, it is directed that the scrapper shall preserve the vehicle in question and shall not scrap the same during the pendency of the proceedings for release of the vehicle.
18. With the aforesaid directions, the present writ petition, along with pending application, is accordingly disposed of.

MINI PUSHKARNA, J

JULY 4, 2025

au