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

+ **W.P.(C) 10301/2024 & CM APPL. 42128/2024**

POOJA KUMAR

.....Petitioner

Through: Mr. Aditya Singh, Advocate.

versus

**MUNICIPAL CORPORATION OF DELHI
& ORS.**

.....Respondents

Through: Mr. Ashutosh Gupta, Additional
Standing Counsel with Mr. Arman Monga,
Advocate for R1.

Mr. Mohit Bhardwaj, Advocate for R2.

Mr. Prashant, Mr. Ranvijay Singh, Mr. Anand
Mishra and Ms. Nisha Rai, Advocates for R3.

**CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH**

**ORDER
15.01.2025**

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1. This writ petition is preferred on behalf of the Petitioner seeking a direction to the Respondent to release his vehicle bearing No.HR 29 AG 0099 (Fortuner), registered in February 2014 with a further direction to compensate the Petitioner for illegal seizure/removal of the vehicle from the custody of the Petitioner.

2. Be it noted that the vehicle in question was scrapped by Respondent No.3 on 20.05.2024 and learned counsel for the Petitioner candidly submits that in light of this development, Petitioner does not press the relief of release of the vehicle. It is, however, urged that the scrapping of the vehicle



is unlawful and in the teeth of “*Guidelines for Handling End of Life Vehicles in Public Places of Delhi, 2024*” issued by Transport Department, Government of NCT of Delhi on 20.02.2024, which provide that if an application is made for release of vehicle along with necessary documents within three weeks of impounding of the vehicle and the same is not rejected, the vehicle cannot be scrapped. As per paragraph 9 of the Guidelines vehicle can be scrapped only in three contingencies which do not exist in the present case as admittedly Petitioner had filed an application for release of the vehicle within the stipulated time and made the necessary deposit. Learned counsel places heavy reliance on the affidavit filed by MCD in support of the Petitioner.

3. During the course of hearing, Petitioner and Respondent No.3 have amicably resolved their *inter se* disputes and it is agreed that Respondent No.3 shall pay a sum of Rs.5,00,000/- to the Petitioner in full and final settlement of all her claims and payment shall be made within four weeks from today. Petitioner will tender requisite documents to Respondent No. 3 within a period of ten days from today.

4. Accordingly, this writ petition is disposed of recording the settlement between the Petitioner and Respondent No.3. As agreed, Petitioner will furnish the requisite documents within ten days from today and Respondent No.3 shall pay a sum of Rs.5 Lacs to the Petitioner within four weeks from the date of receipt of requisite documents. This Court finds merit in the contention of the Petitioner that vehicle of the Petitioner was unlawfully scrapped in the teeth of Guidelines dated 20.02.2024 and Petitioner is thus



held entitled to Rs.50,000/- as costs of litigation, which shall be paid along with the sum of Rs.5 Lacs by Respondent No.3.

5. Pending application stands disposed of.

JYOTI SINGH, J

JANUARY 15, 2025/shivam