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

% **Date of Decision: 22<sup>nd</sup> September, 2025**

+ **W.P.(C) 2744/2024 & CM APPL. 60066/2025**

**SH RAJESHWAR NATH KAUL**

.....Petitioner

Through: Mr. Shubham Gupta ,Adv. (Through VC)

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versus

**GOVT OF NCT OF DELHI & ORS.**

.....Respondents

Through: Ms. Avni Singh, panel counsel for R-GNCTD with Mr. Siddharth Gautam, Adv.

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**CORAM:**

**HON'BLE MS. JUSTICE MINI PUSHKARNA**

**MINI PUSHKARNA, J (ORAL):**

**CM APPL. 60066/2025**

1. The present application has been filed on behalf of the petitioner seeking release of the vehicle bearing registration no. AYFT152, in view of the interim order dated 12<sup>th</sup> August, 2025, passed by the Supreme Court, in



*W.P.(C) 13029/1985*, titled as ***M.C. Mehta Versus Union of India & Ors.***

2. Learned counsel appearing for the petitioner submits that the vehicle of the petitioner was impounded from outside the house of the petitioner. It is submitted that the petitioner had given an undertaking dated 04<sup>th</sup> January, 2024, before the Municipal Corporation of Delhi (“MCD”), wherein, it was categorically undertaken that the petitioner being a Non-Resident Indian (“NRI”) had brought the vehicle in question to India for sentimental values only, and that the vehicle in question will either be parked in the private property of the petitioner or the same shall be sent outside the Delhi National Capital Region (“NCR”).

3. However, the only objection that was raised by the MCD was with regard to the fact that the petitioner had not submitted the ownership document with respect to the vehicle in question. Thus, the present writ petition had come to be filed, wherein, on the first date of hearing, i.e., 23<sup>rd</sup> February, 2024, it was directed that *status quo* with respect to the vehicle in question, shall be maintained by the respondents.

4. Today, learned counsel appearing for the petitioner draws the attention of this Court to the Registration Certificate attached with the present petition, i.e., *Annexure P-2*, wherein, the name of the petitioner is clearly mentioned along with the description of the vehicle in question, which matches with the description as given in the present writ petition.

5. Learned counsel appearing for the MCD submits that the MCD has already handed over the vehicle in question to the scrapper.

6. Learned counsel appearing for the scrapper, i.e., respondent no. 3- Pineview Technology Pvt. Ltd., submits that the parking charges which are payable by the petitioner is at the rate of Rs. 500/- per day. Thus, he submits



that an approximate cost of Rs. 3,00,000/- would be payable by the petitioner.

7. At this stage, learned counsel appearing for the petitioner submits that the petitioner had given an undertaking much earlier to the MCD, *vide* undertaking dated 04<sup>th</sup> January, 2024, that the vehicle in question shall be taken out from the jurisdiction of Delhi NCR or shall be parked in the private property of the petitioner. He further submits that the Registration Certificate showing the name of the petitioner was duly filed with the present writ petition. Therefore, the petitioner may not be levied with such a big amount.

8. Having heard learned counsels appearing for the parties, this Court notes that *vide* order dated 12<sup>th</sup> August, 2025, passed in the case of ***M.C. Mehta (supra)***, the Supreme Court has passed the order in the following manner:

“xxx xxx xxx

2. ***In the meantime, we direct that no coercive steps be taken against the owners of the vehicles on the ground that they are 19 years old (in case of Diesel engine) and 15 years old (in case of Petrol engine).***”

(Emphasis Supplied)

9. Perusal of the aforesaid order clearly shows that the Supreme Court has given a categorical direction that no coercive steps shall be taken against the owners of the vehicles on the ground that they are 10 years old in case of diesel engine, and 15 years old in case of petrol engine.

10. This Court records the statement of learned counsel appearing for the respondent no. 3, i.e., the scrapper, that the respondent no. 3 has no objection to the release of the vehicle in question, which shall be subject to the payment of the parking charges.



11. Considering the submissions made before this Court, and for balancing the equities, it is directed that the petitioner shall pay 50% of the approximate amount which has been raised by the respondent no. 3, i.e., 50% of Rs. 3,00,000/-. Thus, the petitioner is directed to pay an amount of Rs. 1,50,000/- to respondent no. 3, towards parking charges. Upon such payment being made by the petitioner to respondent no. 3, the respondent no. 3 shall release the vehicle of the petitioner, forthwith.
12. Considering the fact that the main prayer of the petitioner was itself for release of the vehicle in question, no further orders are required to be passed in the present writ petition.
13. Accordingly, the present writ petition, along with the pending application, is accordingly disposed of.
14. The next date of 29<sup>th</sup> October, 2025, stands cancelled.

**MINI PUSHKARNA, J**

**SEPTEMBER 22, 2025/SK**