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

% **Date of Decision: 30.05.2025**

+ W.P.(C) 8285/2025 & CM APPL. 36081/2025

GUR SHAMSHER SINGHPetitioner

Through: Mr. Pramod K Tiwary, Advocate
versus

GOVT OF NCT OF DELHI & ORS.Respondents

Through: Ms. Sweety Singh, Adv, for
Respondent No. 1/GNCTD
M: 9810488115
Mr. Tejash Yadav, Ms. Astha Gupta,
Advocates for R-1, 2
(M:7678505912)
Mr. Niraj Kumar with Mr. Chaitanya
Kumar, Advocates for R-2/DP
(M:9810020341)
SI Dharampal, Pairvi Officer Traffic
Inspection Rajeev Bhardwaj, TI-
Rohini Circle (M:8750871469)

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

MINI PUSHKARNA, J (ORAL)

1. The present writ petition has been filed seeking directions to release the petitioner's diesel vehicle bearing registration number HR55V3937, seized on the ground of being over 10 years old.
2. Learned counsel appearing for the petitioner submits that the petitioner is the owner of the impugned vehicle bearing registration number HR55V3937.
3. It is submitted that the vehicle was registered on 30th April, 2015 and is a diesel run vehicle having 10 years running life in Delhi, in view of the



Judgment passed by the National Green Tribunal (“NGT”), the Supreme Court and the Rules made thereafter by Government of NCT of Delhi (“GNCTD”).

4. It is submitted that the petitioner is a permanent resident of Delhi and after expiry of 10 years of age of the impugned vehicle on 30th April, 2025, the petitioner had parked the same near his house, and was in the process of getting documents prepared to run the impugned vehicle in Haryana and in other State, where it is permissible to run a diesel after 10 years.

5. It is submitted that *vide* Seizure Memo dated 12th May, 2025, the impugned vehicle was seized from “In front of Anti Human Trafficking Office Sector-16, Rohini, Delhi” by office of the Traffic Inspector, Rohini Circle, Delhi/respondent no. 2.

6. It is submitted that seizure of the vehicle was without granting an opportunity to the petitioner to relocate the vehicle.

7. Learned counsel for the petitioner submits that the vehicle has been handed over by the seizing authority to PKN Motor Scrapper Pvt. Ltd./respondent no. 3, for scrapping.

8. It is submitted that the petitioner is aware of the orders passed by the Supreme Court and the NGT, and does not dispute the general restriction. However, the petitioner seeks limited relief for the release of the vehicle for removal from the NCT of Delhi.

9. It is submitted that the petitioner undertakes not to ply the vehicle in question within the NCT of Delhi and is willing to take the vehicle out of Delhi or for such disposal as permitted under law.

10. Issue notice. Notice is accepted by learned counsel for respondent nos. 1 and 2.



11. Learned counsel for respondent no. 2, i.e., office of the Traffic Inspector, Rohini Circle, upon instructions from the official, who is present in Court, confirms the fact that the vehicle of the petitioner, which is lying with respondent no. 3/PKN Motor Scrapper Pvt. Ltd., has still not been scrapped.

12. Learned counsel for respondent no.1/GNCTD of Delhi submits that the petitioner needs to undertake that the vehicle in question shall not be plied in Delhi and that various compliances shall be completed by the petitioner.

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

- i. The petitioner shall apply for release of his vehicle in terms of the “Guidelines for Handling End of Life Vehicles in Public Places of Delhi, 2024” dated 20th February, 2024, read with “Standard Operating Procedure (SOP) for Releasing End of Life Vehicle (ELV) seized as part of Enforcement Drive as per paras 6 & 7 of the Guidelines for Handling End of Life Vehicle in Public Places of Delhi, 2024” dated 21st October, 2024.
- ii. The petitioner shall approach the respondent no. 3 for the purpose of release of vehicle, i.e., Truck, bearing registration no. *HR55V3937*.
- 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 penalty, towing charges, parking fee and other charges, including, deposit 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 either ply, or park the said truck in any public place, within Delhi.
 - vi. Upon the aforesaid compliances being done by the petitioner, the vehicle of the petitioner shall be released to the petitioner.
 - vii. The respondent no. 3, i.e., the scrapper, shall preserve the vehicle and shall not scrap the same, during the pendency of the proceedings for release of the same.
14. With the aforesaid directions, the present writ petition, along with the pending application, is accordingly disposed of.

MINI PUSHKARNA, J

MAY 30, 2025

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