



2025:DHC:9621



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% **Date of Decision: 31.10.2025**+ **W.P.(C) 11363/2022 & CM APPL. 33442/2022****RASHTRIYA RAJDHANI KSHETRA TIPAHYA CHALAK
UNION DELHI REGD**PetitionerThrough: Mr. Sumit Kumar and Mr. Harsh
Kiran, Advs.

Mob: 9911247063 & 9268513444

Email: sumit.law89@gmail.com

versus

THE UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Rakesh Kumar, SPC-UIO with
Mr. Rahul Kashyap, O.S., North
Railway.

Mob: 9811549455

Email: rakeshkumarcgsc@gmail.com**CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****MINI PUSHKARNA, J (ORAL)**

1. The present writ petition has been filed seeking directions to the respondents to stop the displacement of the auto-taxi stand at Anand Vihar Railway Station Terminal, as well as to treat the said auto-taxi stand equally with all the other similar stands in Delhi and accordingly, to charge equal fee from the auto-taxi drivers, as charged by the Railways.

2. Interim directions were passed in favour of the petitioner, *vide* order dated 03rd August, 2022, in the following manner:

“xxx xxx xxx

W.P.(C) 11363/2022 and CM APPL. 33442/2022

1. By way of the present petition filed under Articles 226/227 of the Constitution of India, the petitioner seeks following reliefs: -



"A. Issue a Writ of Mandamus or any other appropriate Writ, or direction to the respondents to stop the displacement of auto-taxi stand, Anand Vihar Railway Station Terminal.

B. Appropriate direction may be issued to the respondents to equally treat all the auto-taxi stands of Railway Stations of similar category in Delhi and accordingly, equal auto-taxi stand fees should be charged by the Railway from the auto and taxi drivers;

C. And any other/further Writ, Order or Direction as this Hon'ble Court may deem fit and proper in the facts & circumstances of the case and in the interest of justice."

2. Mr. Sushil Kumar, learned counsel for the petitioner, submits that the petitioner is a registered Union of auto-taxi operators aggrieved by the action of the respondent(s) in asking the concerned taxi operators to vacate the auto-taxi stand situated at Anand Vihar Railway Station by 31.07.2022. It is contended that the auto-taxi operators have been operating from the stand at Anand Vihar Railway Station since the year 2010 and yet, without any communication in writing, they have been asked to vacate the said stand. Learned counsel also submits that till date no parking charges have been levied by the respondent(s).

3. Issue notice.

4. Learned counsel for the respondent(s) accepts notice. Learned CGSC for the respondent(s) submits that vide letter dated 21.09.2020 issued by Railways, monthly charges/rates for Commercial Vehicles (PCCV) viz. Auto Rickshaw/Taxi (Kali-Pilee)/Bus & E-Rickshaw etc. have been prescribed for parking at the Anand Vihar Railway Station and in terms of the said letter, the auto-taxi operators are also required to fill a 'Declaration-cum-Commercial Vehicles Owner Form' for entering the Anand Vihar Railway Station. It is further submitted that as of now there is no designated space for parking of Auto Rickshaw/Taxi (Kali-Pilee) and the same shall be earmarked within three days from today.

5. At this stage, learned counsel for the petitioner, on instructions, submits that the concerned auto-taxi operators, without prejudice to their rights and contentions, are willing to pay the parking charges to Railways in accordance with law as well as fill the 'Declaration-cum-Commercial Vehicles Owner Form'. He, on instructions, further submits that the autotaxi operators represented by the petitioner would park their Auto Rickshaw/Taxi (Kali-Pilee) in the designated space provided to them.

6. List on 15.11.2022.



7. Till the next date of hearing, the concerned auto-taxi operators shall pay the prescribed parking charges, as undertaken, as well as fill the 'Declaration-cum-Commercial Vehicles Owner Form', with a caveat that the respondent(s) shall not take any precipitate action in relation to their operation from the auto-taxi stand at Anand Vihar Railway Station in terms of the letter except in accordance with law and by way of a reasoned/speaking order, which shall also be subject to the outcome of the present petition."

(Emphasis Supplied)

3. Subsequently, the aforesaid order was clarified vide order dated 15th November, 2022, in the following manner:

"1. Mr. Rakesh Kumar, learned CGSC for the respondent(s) submits that in terms of the order dated 03.08.2022, a separate parking space has been earmarked for parking of the vehicles of the members of the petitioners' association however, the petitioners are still parking at a place other than the designated area. He further submits that even the monthly charges/rates are not being paid.

2. It is clarified that interim directions passed on 03.08.2022 shall be applicable only to those who are paying monthly charges/rates, filling up the requisite declaration forms and are parking at the designated area only.

3. List on 07.02.2023."

(Emphasis Supplied)

4. Subsequently, vide order dated 14th August, 2024, the interim order dated 03rd August, 2022, read with order dated 15th November, 2022, was directed to remain in force during the pendency of the present writ petition. The order dated 14th August, 2024, reads as under:

"1. The counter affidavit has already been filed. A copy thereof be also supplied to learned counsel for the petitioner who may file a rejoinder thereto within a period of four weeks.

2. Learned counsel appearing on behalf of the petitioner while taking this Court to the order dated 03.08.2022 submits that without passing any speaking order, certain additional charges are being levelled on the members of the petitioner. He, therefore, submits that till the matter is re-heard, the respondents be restrained from charging any additional amount for parking.

3. The Court is of the considered opinion that the order dated 03.08.2022 made a certain arrangement, which reads as under:-



“7. Till the next date of hearing, the concerned auto-taxi operators shall pay the prescribed parking charges, as undertaken, as well as fill the ‘Declaration-cum-Commercial Vehicles Owner Form’, with a caveat that the respondent(s) shall not take any precipitate action in relation to their operation from the auto-taxi stand at Anand Vihar Railway Station in terms of the letter except in accordance with law and by way of a reasoned/speaking order, which shall also be subject to the outcome of the present petition.”

4. If the petitioner has any grievance with respect to the non-compliance of the said directions, the petitioner can always file a contempt petition. However, in the absence of there being any fresh application, or the reasonable cause being shown by the petitioner on the basis of any supported documents, the Court is not inclined to pass any further pre-emptive directions against the respondents.

5. List on 23rd January, 2025.

6. In the meantime, the order dated 03.08.2022 read with the order dated 15.11.2022 shall remain in force.”

(Emphasis Supplied)

5. This Court takes note of the submission made by learned counsel appearing for the respondents that in view of the Railway Policy, a specific space has been identified for parking the auto-rickshaws and *kali-pilee* taxi. Relevant portions of the counter affidavit, filed on behalf of the respondents, are reproduced as under:

“xxx xxx xxx

5. That vide letter dated 21.09.2020 issued by Railways, monthly charges/rates for Commercial Vehicles (PCCV) viz. Auto Rickshaw/Taxi (Kali-Pilee)/Bus & E-Rickshaw etc. were revised for parking at the Anand Vihar Railway Station and in terms of the said letter, the auto-taxi operators were also required to fill a ‘Declaration-cum-Commercial Vehicles Owner Form’ for entering the Anand Vihar Railway Station. Copy of the letter dated 21.09.2020 is being annexed herewith as **ANNEXURE-R/1**. From the letter dated 21.09.2020 it is clear that for Category A-1 and A Railway Stations, uniform charges of Rs.600/- per month have been prescribed for Auto Rickshaw/Three wheelers and Rs.1,000/- per month have been prescribed for Taxi (Kali-Pilee)/Cabs in addition to the GST and other taxes. In Delhi, Anand Vihar Terminal, Delhi Junction, Hazrat Nizamuddin and New Delhi Railway Stations fall in Category A1.





xxx xxx xxx

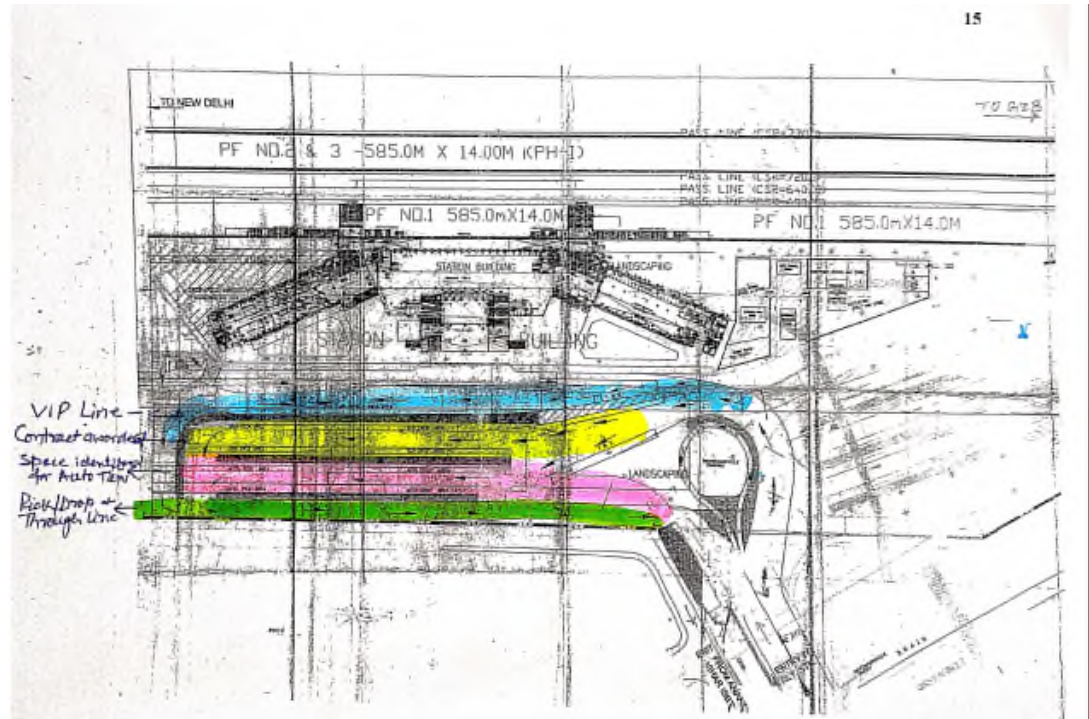
8. That after receiving the copy of the order dated 03.08.2022 passed by this Hon'ble Court, Joint inspection was conducted on dated 12.08.2022 by SS/ANVT, CMI/ANVT, IPF/ANVT, SSE/W/NDLS, CTI/ANVT and Shri M.S Mansoori, General Sec, Rashtriya Rajdhani KshetraTripahiyaChalak Union Delhi for designation the space for auto rickshaw/Taxi (kali-Pilee). During the joint inspection, it transpired as under:-

- a) The space had been identified in the 3rd line near pick and drop line for parking the Auto rickshaw and kali-Pilli taxis.
- b) Sh. Mansoori, General Secretary Rashtriya Rajdhani KshetraTripahiyaChalak Union and other Representatives of the Union attended the meeting in SS office but they have not participated in the joint inspection. Sh. Mansoori stated that the Taxi drivers are not ready for line No.3.
- c) Sh. Mansoori, General Secretary Rashtriya Rajdhani KshetraTripahiyaChalak Union Delhi informed that the Auto Drivers refused to submitted any Declaration-cum-Commercial Vehicles Owner Form and for depositing of Parking Charges.
- d) Only 22 taxi (kali-pilli) owners were ready to deposit the license fee with the condition that space should be provided in 2nd line which had already been allotted to parking contractor w.e.f. 01.08.2022.
- e) Shri Mansoori has also refused to sign the joint note.



xxx xxx xxx”

6. Copy of the parking site at Anand Vihar Railway Station Terminal, has been filed along with the counter affidavit of respondents, which is reproduced as under:



7. Perusal of the aforesaid site plan shows that the area earmarked in colour Pink, has been identified for autos and taxi.

8. This Court also takes note of the submission made by learned counsel appearing for the respondents that at present, 212 auto rickshaws and 100 *kali pilee* taxis have submitted their declaration for the purposes of parking in the area in question.

9. Accordingly, the petitioner is directed to continue to pay the parking charges as demanded by the respondents, in terms of letter dated 21st September, 2020, issued by the respondents and furnish declaration to the respondents, wherever such declaration has not been submitted.

10. This Court also takes note of the undertaking made on behalf of the petitioner that the members of the petitioner shall not encroach on any other area, except the area as earmarked by the respondents for parking. The petitioner is held bound by the said undertaking.



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11. With the aforesaid directions, the present writ petition, along with the pending application, is accordingly disposed of.

MINI PUSHKARNA, J

OCTOBER 31, 2025/SK