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

+ **W.P.(C) 5588/2025 & CM APPL. 25499/2025**

NAVAL KUMAR RAI

.....Petitioner

Through: Mr. Vishnu Deo Yadav, Adv.
M: 9250746773
Email: yadavvishnudeo@gmail.com

versus

MCD AND OTHERS

.....Respondents

Through: Mr. Sunil Goyal, ASC with Mr. Nitin Kala and Mr. Ankit Chauhan, Adv.
for R-1.
M: 9811056767
Email: goyalandco86@gmail.com

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
30.04.2025

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1. The present writ petition has been filed for issuance of writ order or direction in the nature of mandamus directing the respondents to release the vehicle bearing no. DL-1LM5727, to the petitioner, being its registered owner, which has been seized by respondent no.1 vide seizure memo dated 16th April, 2025.
2. It is submitted that the aforesaid vehicle is a CNG engine which is more than 15 years of age. Therefore the same falls within the definition of "End of Life Vehicles" under the Motor Vehicles (Registration and Function of Vehicle Scrapping Facility) Rules, 2021.
3. It is submitted that the above vehicle of the petitioner was seized by

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the staff of respondent nos. 1 and 2 and the same is still lying with the respondent no.2.

4. Learned counsel appearing for the petitioner submits that the petitioner approached the officials of the Municipal Corporation of Delhi (“MCD”) and apprised that he is ready to give an undertaking/affidavit as per the norms, but despite the same, the respondent has refused for the same and vehicle has not been released by the respondent.

5. It is submitted that the petitioner is ready to abide by all the conditions and also file a requisite application, affidavit and other documents, as per the norms that the petitioner shall not ply the vehicle in the National Capital Region (“NCR”) of Delhi, and will not park the said vehicle, in any public area of NCR/National Capital Territory (“NCT”) of Delhi.

6. It is further submitted that the petitioner is ready to file an affidavit of undertaking that the vehicle shall be parked at *Village - Pahleza, Shahpur, Diyara, Police Station - Sonpur, District – Chhapra, Saran, Bihar*, inside the premises of the petitioner.

7. Issue notice. Notice is accepted by learned counsel appearing for respondent no.1.

8. Learned counsel appearing for respondent no.1/MCD submits that the petitioner is required to comply with all the requirements as per guidelines issued by the Government of NCT of Delhi vide circular dated 20th February, 2024, i.e., “Guidelines for Handling End of Life Vehicles in Public Places of Delhi, 2024”. He submits that the petitioner would have to pay the requisite penalty charges as well as submit undertaking in terms of the said circular.

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9. Learned counsel appearing for the petitioner submits that the petitioner shall abide by all the compliances.

10. Accordingly, it is directed as follows:

i. The respondent no.2 shall not scrap the vehicle of the petitioner, till final decision is taken in the application of the petitioner for release of his vehicle.

ii. 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 for Releasing End of Life Vehicle” dated 21st October, 2024.

iii. The petitioner shall approach the respondent no.2, i.e., Nirvana Scrappers along with all the requisite documents, including, the undertaking that the petitioner shall not ply the vehicle within the limits of NCT of Delhi and shall not park the same in any public area within the NCR of Delhi.

iv. The petitioner shall also submit the document with respect to the No Objection Certificate (“NOC”) as regard the shifting of the vehicle to another state, where it shall be parked within the premises of the petitioner.

v. The petitioner shall also pay the requisite penalty charges and submit other documents, as required. If any further documents are required, the petitioner shall be informed of the same in writing. The petitioner shall submit the said documents within a period of two weeks of being so informed.

vi. Upon the petitioner supplying all the aforesaid documents, the vehicle bearing no. DL-1LM5727, shall be released to the petitioner, in accordance with the policy. If the vehicle is not released to the petitioner, the reasons for the same will be communicated to the petitioner in writing.

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11. With the aforesaid directions, the present writ petition, along with the pending applications, stands disposed of.

MINI PUSHKARNA, J

APRIL 30, 2025/kr

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