

(2025) 07 DEL CK 1019
In the Delhi High Court
Case No : Writ Petition (C) No. 4638 Of 2025

Gokaran Prasad Awadhiya

APPELLANT

Vs

Delhi Traffic Police And Anr

RESPONDENT

Date of Decision : 29-07-2025

Acts Referred:

Citation : (2025) 07 DEL CK 1019

Hon'ble Judges : Mini Pushkarna, J

Bench : Single Bench

Advocate : Vishnu Deo Yadav, Snehlata

Final Decision : Disposed Of

Judgement

Mini Pushkarna, J (Oral):

1. The present writ petition has been filed praying for directions to the respondents to release vehicle bearing no. DL-4CAA-2234 to the petitioner, which has been seized by respondent no. 1, i.e., Delhi Traffic Police, vide
2. Learned counsel appearing for the petitioner submits that the vehicle of the petitioner falls within the definition of End of Life Vehicles ("ELVs"), under the Motor Vehicle (Registration and Functions of Vehicle Scrapping Facility) Rules, 2021. He undertakes that the petitioner shall neither ply the vehicle within the limits of the National Capital Region ("NCR") of Delhi, nor will he park the same in any public area in NCR of Delhi.
3. Learned counsel appearing for the petitioner draws the attention of this Court to the document pertaining to the allotment of a government accommodation to the petitioner, and the attached photographs of a garage, which accompanies the said accommodation. He, thus, submits that the petitioner shall park the vehicle only within the private limits in the said garage and shall not park it at any public place in Delhi NCR.
4. Learned counsel appearing for respondent no. 1, i.e., Delhi Traffic Police,

submits that the vehicle in question was found parked in a public place by the Police. It is submitted that since the said vehicle is an ELV, the same was seized.

5. Learned counsel appearing for respondent no. 1 further submits that the ELVs cannot be plied. She further submits that as per the Rules, ELVs cannot be insured. She submits that insurance of the vehicle in question has already lapsed on 03rd May, 2021 and the said vehicle was not insured at the time of seizure. Thus, plying of uninsured vehicle was also in breach of the law, and the vehicle was seized as per law.

6. Learned counsel for respondent no. 1 has handed over a copy of a Status Report in this regard, which is taken on record.

7. Having heard learned counsels for the parties, on pointed query, learned counsel appearing for respondent no. 1, on instructions, submits that vehicle in question has not been scrapped.

8. Accordingly, the following directions are issued:

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.2, i.e., PKN Motors, along with all the requisite documents, including, the undertaking that the petitioner shall not ply the vehicle within the limits of NCR of Delhi and shall not park the same in any public area within the NCR of Delhi.

iii. The petitioner shall also pay the requisite penalty charges, towing charges, parking fee and other charges. Further, he shall submit other documents, as required, in terms of the Delhi Maintenance and Management of Parking Places Rules, 2019.

iv. 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 informed regarding the same.

v. Upon the petitioner supplying all the aforesaid documents, the vehicle bearing no. DL-4CAA-2234, shall be released to the petitioner. If the vehicle is not released to the petitioner, the reasons for the same will be communicated to the petitioner in writing.

vi. The respondent no.2 shall not scrap the vehicle of the petitioner and shall preserve the same till final decision is taken in the application of the petitioner for release of his vehicle.

vii. Since the petitioner had made his application for release of the vehicle on

27th March, 2025 for the first time, it is directed that the parking charges payable by the petitioner shall be up to 31st March, 2025 only.

9. With the aforesaid directions, present writ petition, is accordingly disposed of.