
(2025) 07 DEL CK 1004

In the Delhi High Court

Case No : Writ Petition (C) No. 11175 Of 2025 & Civil Miscellaneous Application
Nos. 45862, 45863 Of 2025

Vikas Kumar Singh

APPELLANT

Vs

Municipal Corporation Of Delhi And Ors

RESPONDENT

Date of Decision : 30-07-2025

Acts Referred:

Citation : (2025) 07 DEL CK 1004

Hon'ble Judges : Mini Pushkarna, J

Bench : Single Bench

Advocate : Sunil Goyal, Nitin Kala, Jyotsna Shandilya, Astha Gupta

Final Decision : Disposed Of

Judgement

Mini Pushkarna, J

1. The present writ petition has been filed praying for directions for quashing the removal order dated 11th July, 2025 and not to destroy the vehicle Chevrolet Aveo Car, bearing registration no. DL3CAE5028, belonging to the petitioner.
2. Petitioner, who appears in person, submits that the petitioner is the owner of the car bearing registration no. DL3CAE5028, Chevrolet Aveo 1.4 LS Petrol BS-IV, White Color, registered with the Registering Authority at Sheikh Sarai, New Delhi.
3. It is submitted that the subject vehicle was parked within the white parking line area of petitioner's residence at E-33 Greater Kailash-III, Masjid Moth, New Delhi, and therefore, was not parked in a public area. It is submitted that the petitioner was not plying the subject vehicle, and was rather out of station, owing to Court vacations.
4. It is submitted that when the petitioner reached his residence on 13th July, 2025, he did not find his car parked at his residence and found the removal order dated 11th July, 2025 affixed there, with the comment that no one was present.
5. Thus, it is submitted that the subject vehicle of the petitioner was illegally

towed away on 11th July, 2025, by respondent no. 4, without any information/ notice or advertisement.

6. The petitioner, who appears in person, draws the attention of this Court to the order dated 22nd August, 2023 passed by this Court in a batch of petitions, being W.P.(C) 10749/2023, titled as 'Ms. Seema Chopra Versus Govt. of NCT of Delhi and Ors.', and other connected matters, in order to submit that the respondents had the authority to only issue challan and ought not to have towed away the car of the petitioner.

7. Issue notice. Notice is accepted by learned counsels appearing for respondent nos. 1 to 3.

8. Learned counsels appearing for respondent nos. 1 to 3, submit that the action was taken in accordance in law. They submit that since the car was parked outside the residence of the petitioner, the same was a public place. Therefore, it is submitted that the car was rightly seized.

9. This Court notes the 'Guidelines for Handling End of Life Vehicles in Public Places of Delhi, 2024', dated 20th February, 2024, issued by the Transport Department of Government of NCT of Delhi ("GNCTD"), wherein, public place has been defined in the following manner:

"xxx xxx xxx

(ix) Public Place means place which includes but not limited to all the places where anyone can go anytime without any restrictions. It further includes all roads, drainages, and footpaths, Pedestrian space developed by Civic agency or works department. It includes all the land which is owned by Public and accessible to public.

xxx xxx xxx"

(Emphasis Supplied)

10. Thus, it is clear that car of the petitioner that was parked outside the residence of the petitioner was parked in a public place, as the same was parked on the street outside the residence of the petitioner.

11. As per the definition of Public Place in the aforesaid Guidelines, Public Place includes all the places, where anyone can go any time without any restriction, which includes all roads, footpaths and all the land which is owned by public and is accessible to public. Therefore, this Court rejects the contention of the petitioner that the car of the petitioner was not parked on public land.

12. This Court further takes note that as per the aforesaid Guidelines, it is categorically stipulated that End of Life Vehicles ("ELV") found plying or parked in public place will be impounded or seized by the Enforcement Agency. The relevant Clause of the aforesaid Guidelines, is reproduced as under:

"xxx xxx xxx

3. ENFORCEMENT DRIVE

(i) The enforcement agency should conduct continuous enforcement drives for phasing out End of Life Vehicles from public places of Delhi and should send a daily report to department of Environment for onward submission to CAQM.

(ii) End of Life Vehicles found plying or parked in public place will be impounded/ Seized by the enforcement agency and shall be handed over a Seizure memo at the time of seizure as in Annexure –I

xxx xxx xxx”

(Emphasis Supplied)

13. Accordingly, in view of the clear stipulation as afore-noted, it is apparent that the action taken by the respondents for impounding/seizing the vehicle of the petitioner parked in public place, was in accordance with law, and within the authority of the respondents.

14. At this stage, the petitioner, who appears in person, submits that he is ready to give an undertaking that he shall not ply the vehicle within the limits of the National Capital Region (“NCR”) of Delhi and that he shall take the vehicle outside the jurisdiction of NCR of Delhi.

15. The aforesaid undertaking of the petitioner is accepted.

16. 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. 4, i.e., Nivana Scrappers, 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. DL3CAE5028, 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. 4 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.

17. It is directed that the respondents shall ensure that the vehicle of the petitioner is not scrapped during the pendency of the application of the petitioner for release of the vehicle.

18. Accordingly, the present petition, along with the pending applications, is disposed of.