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

+ W.P.(C) 5508/2023

SUSHMA PRASAD

..... Petitioner

Through: Mr. Piyush Sharma, Advocate

versus

GOVT. OF NCT OF DELHI & ORS.

..... Respondents

Through: Mr. Udit Malik, ASC with Mr. Vishal Chanda, Advocate

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **28.04.2023**

CM APPL. 21595/2023 (exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(C) 5508/2023 and CM APPL. 21596/2023 (stay)

1. By way of the present petition filed under Article 226 of the Constitution of India, the petitioner who claims to be the owner of a car bearing registration No. DL 4CM 4180, is aggrieved by the action of the respondents in seizing the said vehicle unauthorisedly and without issuance of any prior notice.
2. Learned counsel for the petitioner submits that the subject vehicle was not plying and was parked outside petitioner's house. He further submits that the petitioner seeks to convert the subject vehicle into an electric vehicle and for which necessary enquiries were being made.



3. Learned counsel for the petitioner has referred to the order dated 28.07.2022 passed by this Court in **W.P.(C) 11254/2022** titled as Prabhat Kumar v. Municipal Corporation Of Delhi & Ors.
4. Learned counsel for the petitioner submits that in fact the petitioner is willing to file an undertaking neither to ply the subject vehicle nor to park it on a public space unless the same is retrofitted.
5. Issue notice.
6. Learned ASC for GNCTD accepts notice. He seeks some time to file the reply. Let the same be filed before the next date of hearing.
7. On the petitioner's taking steps, notice be also issued to respondent No.3, by all permissible modes, returnable on 11.08.2023.
8. Till the next date of hearing, respondent No.3 shall ensure that the subject vehicle is not dismantled or scrapped.
9. It is directed that respondents No.1 and 2 shall also ensure that the necessary intimation in this regard is conveyed to respondent No.3
10. A copy of this order be uploaded on the website forthwith. The parties shall act on the uploaded copy of the order.

DASTI.

MANOJ KUMAR OHRI, J

APRIL 28, 2023

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