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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(C) 16208/2022**

SD WINDLESH Petitioner

Through: Petitioner in person.

versus

GOVT OF NCT OF DELHI & ORS. Respondents

Through: Mr. Udit Malik, ASC for GNCTD.

Mr. Vishal Chanda, Advocates.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **20.12.2022**

1. This hearing has been done through hybrid mode.
2. The present petition has been filed by the Petitioner – SD Windlesh seeking directions to Respondent No. 4 - M/s SG Junkyard and Recycling LLP to restore his non-functional End of Life Vehicle (*hereinafter 'ELV'*) bearing No. DL 3CJ 4860 and for Respondent No. 1, 2 and 4 to compensate him for towing of his car by Respondent No.4 in his absence and without prior intimation and permission.
3. Vide order dated 24th November 2022, the Petitioner was directed by this Court to provide a copy of the Registration Certificate (RC) of the car. The Petitioner, who is appearing in person upon being queried by the Court, submits that he is trying to trace the said RC, however he is unable to submit the same.
4. Ld. Counsel for the Respondents relies upon the Guidelines of Scrapping of Motor Vehicles, 2018 which set out clearly the order of the National Green Tribunal (NGT) in ***Vardhman Kaushik v. Union of India & Ors.*** dated 26th November, 2014.



5. Ld. Counsel for GNCTD shall place on record the guidelines along with an affidavit as to whether these guidelines are currently operational and if the order of NGT dated 26th November, 2014 still stands or there is any challenge in respect thereof. Affidavit be filed within four weeks.
6. None appears for the scrapping company i.e., Respondent No. 4 in the matter. Let registry issue notice to Respondent No. 4 at the email address and mobile numbers mentioned in the memo of parties. Notice be also served by the petitioner if he wishes to do so.
7. Respondent No. 4 upon being served, shall file its affidavit within six weeks and also state before the court as to the circumstances leading for towing away of the Petitioner's vehicle bearing no. DL-3CJ-4860. The said company shall also clarify if any fair market value has been paid to the Petitioner in terms of the SOP for scrapping vehicles more than 15 years old diesel or petrol vehicles by Enforcement Branch of Transport Department, GNCTD as per order dated 23rd September, 2021.
8. It is made clear if the Petitioner does not file the Registration Certificate adverse inference would be liable to be drawn.
9. List before the Registrar for completion of service on 23rd February, 2023.
10. List before Court on 31st May, 2023.

PRATHIBA M. SINGH, J

DECEMBER 20, 2022

Nl/hh