



\$~55

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

+ W.P.(C) 11964/2025, CM APPL. 48803/2025 & CM APPL. 48804/2025

SHIV SHANKAR SAHU

.....Petitioner

Through: Mr. Sumit Kumar and Mr. Aman  
Agarwal, Advs. (Through VC)

versus

GOVT OF NCT OF DELHI

.....Respondent

Through: Ms. Vaishali Gupta, PC (Civil)  
GNCTD  
M: 8383031929

**CORAM:**

**HON'BLE MS. JUSTICE MINI PUSHKARNA**

**ORDER**

% **08.08.2025**

**CM APPL. 48803/2025 (For Exemption)**

1. Exemption allowed, subject to all just exceptions.
2. Application stands disposed of.

**W.P.(C) 11964/2025 & CM APPL. 48804/2025**

3. The present writ petition has been filed seeking directions to the respondent to permit the petitioner to buy another autorickshaw and attach his existing permit bearing No. TL1RN3053, thereto.
4. It is submitted that the petitioner is the owner of an autorickshaw bearing No. DL1RN3053. The respondent had issued an order dated 20<sup>th</sup> June, 2022, which essentially clarifies that since the financier finances the vehicle and not the permit, therefore, the Vehicle Registration Certificate and the permit shall be treated as separate instruments of an autorickshaw



that is repossessed by the financier, due to the default in the payment of loan by the owner of the autorickshaw.

5. Thus, it is submitted that in such cases, an autorickshaw owner is allowed to buy another new or old autorickshaw and attach the existing permit to it.

6. It submitted that however, the vehicle and permit are considered as one by the respondent in all the other cases. It is submitted that this position is contrary to the provisions of the Motor Vehicle Act, 1988.

7. It is further submitted that the petitioner wants to buy another autorickshaw and attach the exiting autorickshaw permit to it. His old autorickshaw is in a dilapidated condition, which is under hypothecation. Thus, it is submitted that such replacement is specifically permitted under Section 83 of the Motor Vehicle Act, 1988.

8. Issue notice. Notice is accepted by learned counsel appearing for the respondent.

9. Let reply be filed within a period of four weeks, from today.

10. Rejoinder thereto, if any, be filed within two weeks, thereafter.

11. Re-notify on 15<sup>th</sup> October, 2025.

**MINI PUSHKARNA, J**

**AUGUST 8, 2025/KR**