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

+ W.P.(C) 7947/2023

AUTO DRIVER KALYAN UNION REG Petitioner

Through: Ms.Beenashaw N.Soni, Mr.Abhishek
Gupta, Mr.Vishal Khanna, Ms.Mansi
Jain and Mr.Bhupesh Pandotra,
Advocates.

versus

THE GOVT. OF NCT OF DELHI & ORS. Respondents

Through: Mr.Satyakam, ASC with Ms.Pallavi
Singh, Advocate alongwith ASI
Devender Singh, Traffic.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

% **31.05.2023**

CM.APPL Nos. 30612-13/2023 (Exemption)

1. Allowed, subject to all just exceptions.
2. Applications are disposed of.

W.P.(C) 7947/2023

1. By way of present writ petition filed under Article 226 of the Constitution of India, the petitioner which claims itself to be a Registered Union of TSR Vehicles owners/drivers, seeks the following prayers:

“a) Issue a writ in the nature of mandamus or any other appropriate writ/ order/ direction against the respondents inter-alia directing the respondents to lift the lock-in period for transfer of TSR auto so that owners of TSR auto may be able to transfer their vehicles without any restriction of 5 years lock-in period.

b) Issue a writ in the nature of mandamus or any other appropriate writ/ order/ direction against the respondents inter-alia directing the respondents to allow the Auto TSR owners to get their

old CNG Auto TSR replaced with new Electric TSR Auto/ E-Auto when required.”

2. Ms.Beenashaw Soni, learned counsel for the petitioner submits that the lock-in period of five year for transfer of TSR auto/vehicles is an unreasonable restrictions and such restrictions are imposed only in the State of Govt. of NCT of Delhi. She further submits that such restrictions are not imposed on the other public utility vehicle. She also submits that a representation in this regard was made on 07.01.2023 which has remained unanswered.

3. Issue notice.

4. Mr.Satyakam, learned Additional Standing Counsel appears and accepts notice on behalf of the respondents and, on instructions, submits that considering the grievance made, a policy decision would be taken to explore the feasibility of carving out exceptions, if any. He seeks some time to file the Status Report.

5. Re-notify on 29.08.2023.

6. On the oral request, of Ms.Beenashaw N.Soni, learned counsel for the petitioner respondent No.4 is deleted from the array of the parties. Let an amended memo of parties be filed before the next date of hearing.

MANOJ KUMAR OHRI, J

MAY 31, 2023/v