

HIGH COURT OF DELHI AT NEW DELHI

No. 11201 /Genl.G-II/G-10/DHC
Dated: 27.11.18

CIRCULAR

It has been noticed that despite various instructions circulated earlier vide this Court's Circular No.673/Genl./DHC dated 30.08.2017, No.860/Genl./DHC dated 01.11.2017, No.415/Genl./DHC dated 25.04.2018 and No. 526/Genl./DHC dated 28.05.18, several cars of Advocates, staff, litigants and others with manual transmission are being parked on the ground level (floor) as well as entry and exit area of the Underground Multilevel Car Parking which is meant for parking of automatic vehicles and vehicles of differently abled persons only resulting in least availability of parking space for the automated cars and vehicles.

Parking of the manually transmitted vehicles by the Advocates, staff, litigants and others on the ground floor of the Underground Multilevel Car Parking and improper parking of vehicles thereby leaving least space available for parking of automatic vehicles has also been taken note of by the Hon'ble High Court in *W.P.(C) No.7718/2015* titled "*Pankaj Yadav Vs. Union of India & Anr*".

Vide orders dated 29.10.2018 passed by a Division Bench comprising Hon'ble Mr. Justice Sanjiv Khanna and Hon'ble Mr. Justice Anup Jairam Bhambhani in CM No. 15135/2015, 26986/2015 6095/2017 and Writ Petition (Civil) No. 7718/2015 titled "*Pankaj Yadav Vs. Union of India & Anr.*", the Hon'ble Court has directed that only automatic cars should be parked in the ground floor/surface level of the underground parking. It has been further directed that owner driven cars of Advocates above the age of 65 years would be given preference in parking their cars within the High Court Complex and Cars without Delhi High Court Bar Association parking sticker will not be allowed inside the Court Premises.

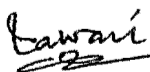
In compliance with the directions contained in the orders dated 29.10.2018 passed in the aforesaid writ petition, it is once again impressed upon the Office bearers of the Delhi High Court Bar Association to instruct their members that henceforth, only automatic gear transmission vehicles would be permitted on the ground floor/surface level of the automated underground parking and Cars without Delhi High Court Bar Association parking sticker will not be allowed inside the Court Premises.

Non-adherence to the above instructions shall be brought to the notice of the Hon'ble Court for taking appropriate action.

Sd/-
(Ramesh Chand)
Registrar (Genl.-Admn.)
For Registrar General

Copy forwarded for information and necessary action to: -

| | |
|---|--|
| Joint Registrar-cum-Secretary to Hon'ble the Chief Justice | With the request to kindly bring the contents of the above Notice to the knowledge of the officials working under their supervision. |
| DR-cum-PA to the Registrar General | |
| All Registrars, OSD(s) Joint Registrars, Deputy Registrars, Assistant Registrars | |
| All AOJs, Court Masters, Private Secretaries and Branch Incharge(s). | |
| The President/Hony. Secretary, Delhi High Court Bar Association, Delhi High Court, New Delhi. | With the request to kindly ensure adherence of the contents of the Circular by the members of the Bar. |
| Assistant Engineer (Civil) and Assistant Engineer (Elect.) PWD, Delhi High Court | |
| CMO Incharge, Delhi High Court Medical and Health Centre. | |
| ACP Security, DHC | |
| Parking Head Underground Automated Multilevel Car Parking. | |


(Pawan Kumar Kalra)
Joint Registrar (Genl.)

§~46

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

+ W.P.(C) 7718/2015 & CM Nos.15135/2015, 26986/2015 & 6095/2017

PANKAJ YADAV

..... Petitioner

Through: Mr. Sanjeev Sagar and Ms. Nazia Parveen, Advs.

versus

UNION OF INDIA & ANR

..... Respondents

Through: Mr. Kirti Uppal, Sr. Adv. with Ms. Manisha Tyagi, Adv. for DHCBA. Mr. Santosh Kr. Tripathi, ASC with Mr. Rishabh Oswal and Mr. Shashank Tiwari, for GNCTD. Ms. Deboshree Mukherjee and Mr. Jayant Mehta, Advs. for Delhi High Court. Ms. Nishima Arora and Mr. Sanjay Dewan, Advs for All District & Sessions Judge.

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

%

29.10.2018

The Executive Committee of the Delhi High Court Bar Association has passed the following resolution dated 15.10.2018:-

"The Hon'ble High Court of Delhi had, in case no. W.P.(C) 7718/2015 tilted as "Pankaj Yadav Vs. Union of India and Anr." vide order dated 01.11.2017 passed the following directions:-

(i) *The Delhi Traffic Police shall ensure that no vehicles of any kind whatsoever are parked on Sher Shah Road,*

have also expressed their apprehension about reaction of Lawyers in case any coercive steps are taken to remedy the situation. The time has come that Lawyers themselves should take the lead and bring the situation under control. In this view, it is resolved that in addition to the directions of the Hon'ble High Court, Delhi High Court Bar Association should implement the following suggestion.

- (a) To constitute a special team of Lawyers and personnels from Delhi Traffic Police. This Group will further divide amongst themselves the concerned area for which they would take charge of comprising of main parking area in front of Lawyers Chambers Block-I (Parking 1 to 5), Lawyers Chamber Block-II (Basement, Upper Parking, Gate No.8 and 9 and outside Gate No.8 and 9) and Sher Shah Suri Road.
- (b) In the Parking area in front of Lawyers Chamber Block-I will be reserved for self driven cars.
- (c) Members are not to leave their cars unattendant at the mercy of the staff in the morning rush hours inside and outside the Court premises.
- (d) No cars/vehicles will be parked at the space other than which is designated for the vehicles as per the signages displayed in the underground parking area.
- (e) Cars without DHCBA parking sticker will not be allowed inside the Court premises.

It is further resolved that if any vehicle is found parked not adhering to mode and manner as mentioned above, then the said vehicle will be clamped, rendering it motionless. The concerned owner will have to give a written request for declamping at the office of Delhi High Court Bar Association. The Delhi High Court Bar Association will maintain a record of such

instances which would include the name of the member and vehicle number. It was also resolved that if any member is in found to have violated the advisory three times then the same would be brought to the notice of Traffic Police and the concerned vehicle will be likely to be towed away. Necessary signage/notices shall be put/displayed at all concerned parking making areas for the vehicle owners aware of the consequences of not parking as per advisories. A suitable date to inform the member may be decided so that members can be sensitized by putting them on advance notice and making them aware of the same."

- 2) *That in term of the aforesaid resolution the Delhi High Court Bar Association has initiated process for inviting members to volunteer to be part of the Committee for implementing the aforesaid resolution.*
- 3) *That the Delhi Traffic Police may also be directed to nominate such personnels who would be part of the aforesaid team. The Delhi High Court Bar Association will make sincere efforts to implement the aforesaid resolution.*

The said resolution is taken on record and would be treated as part and parcel of the present order for implementation and compliance.

A special team of lawyers and Delhi Traffic Police is to be formed in terms of Clause (a). We hope and trust that this team would be formed and activated within the next 14 days. Checks and effective steps by way of clamping of cars parked in unauthorised and no parking areas would commence from 12.11.2018.

Delhi High Court would also take steps to ensure that only automatic cars are parked in the ground floor/surface level of the underground parking. The parking areas in terms of the resolution quoted above in the High Court

complex would be clearly demarcated. Owner driven cars of Advocates above the age of 65 years would be given preference in parking their cars within the High Court Complex.

PWD will submit status report regarding connecting the underground subway or construction of over bridge over Sher Shah Road before the next date of hearing.

Relist on 4th December, 2018.

Dasti under the signatures of Court Master.



SANJIV KHANNA, J.

ANUP JAIRAM BHAMBHANI, J.

OCTOBER 29, 2018/uj