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

+ **W.P.(C) 8278/2026 & CM APPL. 39070/2026**

SHANKAR KUMAR JHA

.....Petitioner

Through: Mr. Abhijat, Senior Advocate, Mr. Lekhraj Patidar, Mr. Adarsh Shesha, and Ms. Garima Soni, Advocates with the Petitioner in person.

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Ms. Arti Bansal, Adv.
Mr. Sanjay Kumar Pathak Standing Counsel with Mrs K Kaomudi Kiran Pathak, Mr. Sunil Kumar Jha and Mr Kushagra Dixit, Adv. for R-1
Mr. Pramod Kumar, Adv for R-5 (GNCTD)
SI Abhishek Singh

CORAM:

HON'BLE MS. JUSTICE MADHU JAIN

ORDER

% **19.06.2026**

1. This hearing has been done through hybrid mode.

CM APPL. 39071/2026 (Exemption)

2. Allowed, subject to all just exceptions. Application stands disposed of.

W.P.(C) 8278/2026

3. This is a Writ Petition filed under Article 226 of Constitution of India seeking the following relief:

- “a) Issue a Writ of Mandamus or any other appropriate writ, order or direction directing Respondent No. 1 to frame detailed policy regulating the business activities of the Respondent No.6 and other similar business entities;
b) Or, in alternative to the prayer (a) above, this Hon’ble*



Court may issue detail guidelines for business activities of the Respondent No.6 and other similar business entities,

c) Issue a Writ of Mandamus or any other appropriate writ, order or direction directing Respondent No. 1 to 5 for a detailed inquiry into the working modalities of the Respondent No. 6;

d) Issue a Writ of Mandamus or any other appropriate writ, order or direction directing Respondent No. 1 to 5 to initiate appropriate legal proceedings against the Respondent no.6 and their responsible officers in the light the email representation/ Notice dated 12.01.2026 of the Petitioner and to take appropriate steps for safeguarding the fundamental rights of the Petitioner,

e) Issue a Writ of Mandamus or any other appropriate writ, order or direction directing Respondent No. 5 and 6 to forthwith complete the statutory transfer of ownership of the vehicle;

f) Issue a Writ of Mandamus or any other appropriate writ, order or direction and thereby drop all legal proceedings, if any, against the Petitioner arising out of or relating to the subject matter vehicle post 29.12.2023 i.e. the date on which the Petitioner sold and handed over the subject matter vehicle;

g) Or, in alternative to the prayer (f) above, direct the Respondent No. 6 to issue an unconditional, written and irrevocable indemnity in favour of the Petitioner protecting him against all civil, criminal, regulatory and thirdparty liabilities arising after 29.12.2023 in connection with the Vehicle without prejudice to the right of the Petitioner to claim adequate compensation for harassment, if any, in the event of any such mishappening;

h) Issue a Writ of Mandamus or any other appropriate writ, order or direction directing Respondent No. 4 to drop the proceedings against the Petitioner in FIR No. 257/ 2026, PS - Wazirabad;

i) Award just and adequate compensation to the Petitioner for the mental agony, harassment and reputational injury suffered by him on account of the deliberate inaction of the Respondents; and



j) Pass such other and further orders, writs and directions as this Hon 'ble Court may deem fit and proper in the facts and circumstances of the present case and in the interests of justice.”

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner had sold his car through Spinny, a company dealing in used cars, in the year 2023. Despite several representations made by the petitioner, the vehicle was not transferred in the name of the purchaser. Subsequently, the petitioner received a notice under Section 94 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with an FIR registered under Sections 33 and 58 of the Delhi Excise Act, 2009.
5. Learned counsel appearing on behalf of Respondent No. 1 submits that Respondent No. 1 has no role to play in the matter.
6. Issue notice.
7. Let the counter affidavit be filed within four weeks. Rejoinder, thereafter, be filed within one week.
8. Let remaining respondents be served through all permissible modes, including electronic mode.
9. In the meanwhile, the respondents are restrained from taking any coercive action in relation to the use of vehicle bearing registration No. DL4CNE5639 against the petitioner till the next date of hearing.
10. List before the Roster Bench on 10.08.2026.
11. The order be uploaded on the website forthwith.

**MADHU JAIN, J.
(VACATION JUDGE)**

JUNE 19, 2026/ar/rm