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

\# **CNR No. DLHC010545072026**

\+ **W.P.(C) 16793/2026 & CM APPL. 78454/2026, CM APPL. 78455/2026**

DELHI HIGH COURT BAR ASSOCIATION (THROUGH ITS HONORARY SECRETARY) .....Petitioner

Through: Mr. N. Hariharan, Mr. Rakesh Tiku, Ms. Prem Lata Bansal, Sr. Advs. Mr. Vikram Singh Panwar, Ms. Kanika Singh, Mr. Kunal Malhotra, Mr. B.S. Dhir, Ms. Kajal Chandra, Ms. Vidhi Gupta, Mr. Amit Choudhary, Ms. Chandrika Gupta, Mr. Shrey Sharawat, Mr. Nitesh Mehra, Mr. Lakshy Kaushik, Mr. Amaan Shreyas, Ms. Mannat Tipnis, Ms. Punya Rekha Angara, Mr. Aman Akhtar, Mr. Amartya Khanjilal, Mr. Arjan Singh Mandla, Ms. Vasundhara Raj Tyagi, Mr. Apoorv Kumar, Mr. Monu, Mr. Jai Girdhar, Ms. Shreyangana Bag & Mr. Jai Girdhar, Advs.

versus

UNION OF INDIA AND ORS. .....Respondents

Through: Ms. Pratima N. Lakra, CGSC with Mr. Sarvesh P. Shrivastava, GP, Ms. Santha Smruthi & Mr. Shailendra Kumar Mishra, Advs. for R-1 & R-5.

Mr. Sanjay Vashishta, SC with Mr. Siddhartha Goswami, Advs. for MCD.

CORAM:
HON'BLE MR. JUSTICE AMIT MAHAJAN

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O R D E R

% **06.11.2026**

1. None appears for the Government of NCT of Delhi.

2. The petitioner is aggrieved that Advocates and Court Staff, who are residents of NCR but not residents of NCT of Delhi, and their vehicles are not registered in the NCT of Delhi, are not permitted to use their vehicles for coming to Courts from 01.11.2026 to 31.01.2027, pursuant to the Notification dated 23.06.2026.

3. Mr. N. Hariharan, learned Senior Counsel for the petitioner submits that the Advocates perform duties of the Court and their vehicles should be exempted from the said notification.

4. He submits that once the Courts are functioning during the said period, the lawyers, who are registered with the Delhi Bar Council and practice in the Courts located in Delhi ought not to be stopped from using their vehicles and performing their duties.

5. He submits that the multiple representations in that regard were given to the Government of NCT of Delhi, however, no action has been taken till date.

6. Issue notice.

7. Ms. Pratima N. Lakra, CGSC accepts notice on behalf of Respondent No. 1 & 5.

8. Mr. Sanjay Vashishta, SC accepts notice on behalf of MCD.

9. Notice to Govt. NCT of Delhi be served through its Standing Counsel.

10. Notice to remaining respondents be served through all permissible modes.

11. Reply, if any, be filed before the next date of hearing.

12. The respondents themselves, in the Notification dated

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23.06.2026, have provided an exemption to the class of persons performing sovereign and essential duties. *Prima facie*, in the opinion of this Court, the function of assisting the Court for discharge of judicial work is also an essential duty and at times, can be emergent in nature as well.

13. Once the Courts are functional, the Advocates and the Court staff's attendance is, undoubtedly, of utmost importance for the smooth functioning of the Court and they cannot be directed to not ply their vehicles. It is not the case of the respondents that they have been providing adequate transport to the Advocates and the Court staff for coming to the Courts.

14. The respondents have also not been able to point out, at this stage, how the same vehicles which were though not contributing to the pollution till the month of October, are suddenly being considered as a major contributor to the pollution.

15. Considering the difficulty expressed by the petitioner, the cars of Advocates and Court staff, which are holding a valid parking sticker of any of the Bar Associations in Delhi, are permitted to travel to and from Delhi, during Court working days, from 01.11.2026 to 31.01.2027 on producing a valid identity card.

16. List on 29.01.2027.

AMIT MAHAJAN, J

NOVEMBER 6, 2026
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