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**IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 79 OF 2022**

IN THE MATTER OF

Radhey Shyam & Ors.

... Applicants

Versus

State of Haryana and Ors.

... Respondent

NDOH: 20.09.2024**INDEX**

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THROUGH


VSA Legal

Counsels for the Respondent No. 5

32, Ground Floor, Uday Part,

South Extension - 2,

New Delhi - 110049

Ph. No.: 9953309080

Email: office@vsalegal.in

Place: New Delhi**Dated: 18.09.2024**

**IN THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 79 OF 2022**

IN THE MATTER OF

Radhey Shyam & Ors.

... Applicants

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... Respondent

**ADDITIONAL AFFIDAVIT TO PLACE ON RECORD DOCUMENT ON
BEHALF OF RESPONDENT NO. 5**

MOST RESPECTFULLY SHOWETH:

1. The present affidavit is being filed on behalf of M/s Omaxe City, i.e., Respondent No. 5, to place on record a relevant document for proper adjudication of the present case.
2. The Respondent No. 5 seeks to bring the document listed in the Index on record. The document is being filed herewith as Annexure - 1.
3. The Regional Officer, Palwal Region, sent a letter dated 25.01.2024 to the Executive Engineer, Municipal Council, Palwal requesting them to connect the discharge of treated water of Omaxe City, Palwal to Master External Sewage System and storm drainage system. True copy of Letter dated 25.01.2024 from the Regional Officer, Palwal Region to the Executive Engineer, Municipal Council, Palwal is annexed herewith and marked as **Annexure – 1**

4. In view of the above, the Respondent No. 5 is respectfully praying this Hon'ble Court to kindly consider the present affidavit while passing appropriate orders.

PRAYER

In the facts and circumstances mentioned hereinabove, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to:

- a) Take on record the additional document filed by the Respondent No. 5 as ANNEXURE – 1; and/or,
- b) Pass any other order or direction as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case.

[Signature]
Authorized Signatory

Respondent No. 5

Through

[Signature]
VSA Legal

Counsels for the Respondent No. 5
32, Ground Floor, Uday Part,
South Extension – 2,
New Delhi – 110049
Ph. No.: 9953309080
Email: office@vsalegal.in

Place: *New Delhi*

Dated: *18.09.2024*

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH AT NEW DELHI**

O.A. 79 OF 2022

IN THE MATTER OF:

RADHEY SHYAM AND ORS.

...PETITIONERS

VERSUS

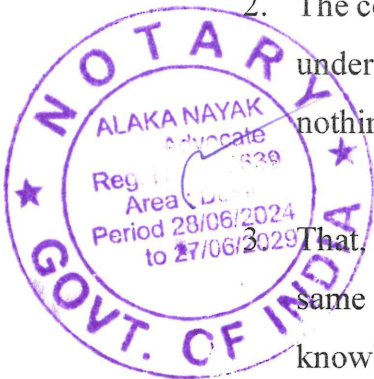
STATE OF HARYANA AND ORS.

...RESPONDENTS

AFFIDAVIT

I, Digamber Dutt Sharma, S/o Sh. Keshab Dutt aged about 51 years, the authorized representative of the Respondent No. – 5, having its office at 7, Local Shopping Centre, Kalkaji, New Delhi - 110019, do hereby solemnly affirm, state and declare as under:

1. That I am the authorized representative of the Respondent No. 5 company in the above-mentioned case and I am well conversant with the facts and circumstances of the present case as per the record derived by the Respondent no. 5 and competent to swear the present affidavit.
2. The contents of the accompanying Affidavit have been drafted by my counsel under my instructions, no fact stated in the Affidavit is false and frivolous and nothing has been concealed therefrom.
3. That, I have read over the contents of the Affidavit and I have understood the same and the facts stated therein are true and correct to the best of my knowledge and belief.



For Omaxe Limited

[Handwritten Signature]
Authorised Signatory

615

5

For Omaxe Limited

Dhawan

DEPONENT

Authorized Signatory

VERIFICATION:

I, the above-named deponent verify that the contents of the foregoing affidavit are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed therefrom.

Verified at ^{New Delhi} on this _____ day of 2024.

For Omaxe Limited

Dhawan

DEPONENT

Authorized Signatory

18 SEP 2024

A
D/706/2012

I identified the deponent who has signed in my presence.



CERTIFIED THAT THE DEPONENT
Shri/Smt./Km. *Poojashree Mittal*
S/o, W/o R/o *Vishwanath Mittal*

Identified by *Amay*
Has solemnly sworn before me at
Manojrajog
Ash

Delhi on **18 SEP 2024**
That the contents of the affidavit which
have been read & explained to him/her
are true & correct to his/her knowledge

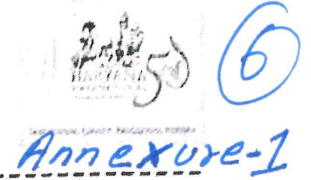
NOTARY

[Signature]

18 SEP 2024



646
Regional Office Palwal Region
Haryana State Pollution Control Board
II - Floor, HSVP Office Complex,
Near Gymkhana Club, Sector -12, Palwal-121102
Website - www.hspcb.gov.in E-Mail - hspcbropal@gmail.com



No. HSPCB/PAL/2023-24/990

Dated: 25/01/2024

To

The Executive Engineer,
Municipal Council,
Palwal

Subject: Compliance report in OA No. 79/2022 titled as Radhey Shyam Vs State of Haryana.

Ref: NGT Orders dated 18/12/2023

Kindly refer to subject noted above, the order dated 18.12.2023 of Hon'ble National Green Tribunal in the above said matter are reproduced as under.

"The Joint Committee constituted by this Tribunal made the following recommendations:

" **RECOMMENDATIONS:-**

- HSVP has to provide master external sewer system for ultimate connection for discharge of excess treated sewage during rainy season and winter season as occupancy of the colony is increasing day by day with the passage of time.
- HSVP has to provide external storm drainage system for ultimate connection of disposal of rain water or this colony omaxe city under the provision of EDC as occupancy is increasing day by day.

Respondent no. 2-HSPCB, respondent no. 3-HSVP and respondent no. 5-M/s. Omaxe City, Palwal filed their replies/responses to the same. However, we find that some of the recommendations made by the Joint Committee are yet to be implemented and some of the requisite remedial measures are yet to be taken.

In the course of hearing the applicant joined the proceeding through mobile call and he has also sought time to apprise this Tribunal about the improvements made and also the deficiencies which are yet to be remedied.

Respondent no.2-HSPCB is directed to take appropriate action and issue appropriate orders for remedial measures to be taken by respondent no.3-HSVP and respondent no.5- M/s. Omaxe City, Palwal in time bound manner and respondent no. 3-HSVP and respondent no. 5-M/s. Omaxe City, Palwal are directed to take requisite remedial measures.

This office has already written to HSVP for connection for Master External Sewage System of Omaxe City, Palwal but as per discussion with XEN, HSVP the Master External Sewage System and storm drainage system of HSVP is not there in the city and belongs to Municipal Council, Palwal.

In view of above, you are hereby requested to connect the discharge of treated water of Omaxe City, Palwal to Master External Sewage System and storm drainage system within 03 days so that the report could be furnished in Honorable NGT before the next date of hearing 31/01/2024. DA/as above

Regional Officer
Palwal Region

Date:-

Endst No./ HSPCB/PAL/2023-24 | 991

Copy of above is forwarded to the following for the kind information and necessary action please :

1. The Superintending Engineer, PHED, Palwal
2. Project Proponent M/s Omaxe City Palwal, District-Palwal.

True Copy
SS

Regional Officer
Palwal Region



617

7

Office Vsalegal <office@vsalegal.in>

*Proof of Service***Service of Additional Affidavit on behalf of the Respondent No. 5
in "Radhey Shyam & Ors. vs. State of Haryana & Ors." OA/79/2022**

1 message

Office Vsalegal <office@vsalegal.in>

Wed, Sep 18, 2024 at 9:44 PM

To: "rwaphase2omaxepalwal@gmail.com" <rwaphase2omaxepalwal@gmail.com>,
rkhuranalegal@gmail.com

Cc: Chaitanya Sharma <chaitanya@vsalegal.in>

Dear Sir/Ma'am,

Please find attached herewith the scanned copy of the Additional Affidavit on behalf of the Respondent No. 5 in the above captioned matter.

Kindly treat the present email as due advance service and acknowledge receipt of the same.

Office of VSA Legal

Address - 32, Ground Floor,
Uday Park, South Ex-II,
New Delhi-110049
Phn : +91-11-43541022, +91-11-43514961
Website: www.vsalegal.in

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Please consider the environment before printing this email.

 **Additional Affidavit in Radhey Shyam.pdf**
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