

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**I.A. NO. 192 OF 2026**

**IN**

**I.A. NO. 329 OF 2024**

**IN**

**O.A. NO. 06 OF 2012**

**IN THE MATTER OF:**

NIZAMUDDIN WEST ASSOCIATION

...APPLICANT

**VERSUS**

UNION OF INDIA & ORS.

...RESPONDENTS

**AND IN THE MATTER OF:**

ABHISHEK DUTT

...APPLICANT

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**NDOH: 21.05.2026**

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	Copies of photos of the waste accumulated at the wire mesh and photos of the silt in Defence Colony Drain taken on 16.05.2026	
5.	<b>Proof of Service</b>	<b>15 – 16</b>

Filed by:



**KUNAL MIMANI | KARTIKEY BHATT**  
Advocates for the Applicant

*Fox & Mandal, Solicitor & Advocates*  
D – 394, Defence Colony, New Delhi 110 024  
E.: filings.newdelhi@foxandmandal.co.in | M.: +91 70424 92840

**Place: New Delhi**

**Date: 18.05.2026**

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**I.A. NO. 192 OF 2026  
IN  
I.A. NO. 329 OF 2024  
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**VERSUS**

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ABHISHEK DUTT

...APPLICANT

**ADDITIONAL AFFIDAVIT ON BEHALF OF THE APPLICANT**

I, Abhishek Dutt, s/o Shri Kamal K. Dutta, aged about 45 years, having office at L-7, Lajpat Nagar – III, Near Sanatan Dharam Mandir, New Delhi – 110024, do hereby solemnly affirm and declare that: -

1. I am the Applicant in the accompanying Intervention Application and as such I am well versed with the facts and circumstances of the case and competent to depose the instant Affidavit.



The captioned Application has been filed on account of the deplorable and deteriorating condition of the Defence Colony stretch of the Kushak Drain ["DC Drain"] *inter alia* seeking issuance of necessary directions against the Municipal Corporation of Delhi ["MCD"] to (i) carry out regular and effective desilting of the DC Drain, including removal of accumulated silt and waste from the entry points and wire mesh at least twice a month and file compliance reports before this Hon'ble Tribunal; (ii) securely reinstall and maintain all barricades in and around the DC Drain in a manner that eliminates the existing safety hazards; (iii) cover

*Abhishek Dutt*

and restore all open cuts / longitudinal openings made in the DC Drain during the desilting process with appropriate structural covering so as to ensure public safety and prevent accidental access to the drain; and upon the Delhi Jal Board [“**DJB**”] to take immediate steps to prevent the entry of untreated sewage into the DC Drain, including implementation of appropriate interim measures for diversion of sewage presently entering the drain until the Decentralised Sewage Treatment Plants are established and made fully operational.

3. This Hon’ble Tribunal *vide* Order dated 01.04.2026 categorically made the following observation: -

*“The MCD has also filed the affidavit in compliance of the order dated 24.03.2026 but in that affidavit the concern shown by the Tribunal about the protection of slits which have been created in the Defence Colony drain and the gap in the tin protection which were noticed in the previous order have not been addressed and **nothing has been shown to indicate that the gaps existing in the tin protection have been covered up.** Therefore, the MCD is directed to file a fresh report covering the said aspect within two weeks”*



4. Notably, as on the date of filing of the present Affidavit, the MCD has not filed the fresh report as directed by this Hon’ble Tribunal, inasmuch as neither a copy thereof has been served upon the Applicant nor does the filing portal of this Hon’ble Tribunal reflect any such filing. An email in this regard was also sent by the representative of the Applicant to the Ld. Counsel for the MCD; however, no response has been received till date. A copy of the email dated 07.05.2026 sent to the Ld. Counsel for the MCD is annexed hereto and marked as **Annexure A3**.

5. Pertinently, as on the date of filing of the present Affidavit, the MCD has not taken any steps whatsoever towards addressing the safety concerns surrounding the DC Drain as pointed out in the captioned IA, by initiating the process of installation of toe walls on the openings.

Copies of photographs with geotags showcasing the condition of the longitudinal openings in the Defence Colony Drain taken on 16.05.2026 are annexed hereto and marked as **Annexure A4 [Colly.]**.

6. Moreover, there is substantial accumulation of silt at the entry point of the DC Drain and the MCD has also left piles of silt lying on the park covering the DC Drain. Copies of photographs depicting the waste accumulated at the wire mesh and the silt lying on the park covering the DC Drain taken on 16.05.2026 are annexed hereto and marked as **Annexure A5 [Colly.]**.
7. Accordingly, the Applicant has filed the instant Affidavit for the limited purpose of placing on record the photographs revealing the current status of the DC Drain.
8. I state that the contents of the foregoing Affidavit are true and correct to the best of my knowledge.

*10K/2953  
I identified the deponent who  
has signed in my presence*

*Abhishek Dutt*

**DEPONENT**

### VERIFICATION

I, Abhishek Dutt, the deponent abovenamed, do hereby verify that the contents of foregoing affidavit are true to my knowledge. Nothing contained herein is false and nothing material has been concealed therefrom.

**18 MAY 2026**

Verified at New Delhi on this 18<sup>th</sup> day of May 2026



*Abhishek Dutt*

**DEPONENT**

**ATTESTED**

**NOTARY PUBLIC  
(INDIA)**

**18 MAY 2026**

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**Original Application No.06/2012 | National Green Tribunal, Principal Bench**

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**From** Tanish Arora <tanish.arora@foxandmandal.co.in>

**Date** Thu 2026-05-07 6:17 PM

**To** PUJA KALRA <pujakalra09@gmail.com>

**Cc** Kunal Mimani <kunal.mimani@foxandmandal.co.in>; Kartikey Bhatt <kartikey.bhatt@foxandmandal.co.in>

Dear Madam,

I am concerned for the Applicant in IA No.272 of 2025 and being led by Mr. Sidharth Luthra, Sr. Advocate. Kindly provide a copy of the fresh affidavit, if any, filed by you in compliance with Para 10 of the Order dated 01.04.2026 specifically addressing the issue of gaps existing in the tin protection installed in the park covering the Defence Colony drain.

Regards,

**Tanish Arora**

Associate



Kolkata | Mumbai | **New Delhi**

Fox & Mandal House, D 394, Defence Colony, New Delhi 110 024

**T:** +91 11 6932 4000 | **M:** +91 8795 374 874 | **E:** [tanish.arora@foxandmandal.co.in](mailto:tanish.arora@foxandmandal.co.in)

**LinkedIn:** <http://www.linkedin.com/in/tanish-arora-a290a31b3/>

**Website:** [www.foxandmandal.co.in](http://www.foxandmandal.co.in)

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**|| True Copy ||**

# Annexure A4 [Colly]



7:45 AM  
SATURDAY, 16 MAY  
India  
LONGITUDE 77.2359° E 77°14'9"E  
LATITUDE 28.5755° N 28°34'31"N

**|| True Copy ||**



**|| True Copy ||**



7:49 AM India  
LONGITUDE (77°23'23" E) 77°13'56" E  
SATURDAY, 16 MAY LATITUDE (28°56'46" N) 28°34'3" N

**|| True Copy ||**



7:46 AM

SATURDAY, 16 MAY

India

LONGITUDE 77.2359° E 77°14'9"E

LATITUDE 28.5755° N 28°34'31"N

**|| True Copy ||**



7:45 AM India  
LONGITUDE 77.2324° E 77°13'58"E  
SATURDAY, 16 MAY LATITUDE 28.5755° N 28°34'31"N

|| True Copy ||



7:46 AM

SATURDAY, 16 MAY

India

LONGITUDE 77.2359° E 77°14'9"E

LATITUDE 28.5755° N 28°34'31"N

**|| True Copy ||**

# Annexure A5 [Colly]



7:49 AM

India

LONGITUDE 77.2323° E 77°13'56"E

SATURDAY, 16 MAY

LATITUDE 28.5676° N 28°34'3"N



7:51 AM

India

LONGITUDE 77.2319° E 77°13'54"E

SATURDAY, 16 MAY

LATITUDE 28.5661° N 28°33'57"N



7:49 AM

India

LONGITUDE 77.2323° E 77°13'56"E

SATURDAY, 16 MAY

LATITUDE 28.5675° N 28°34'2"N



|| True Copy ||

Re: Original Application No. 6 of 2012 - Nizamuddin West Association v. Union of India & Ors. | National Green Tribunal, Principal Bench

From Tanish Arora <tanish.arora@foxandmandal.co.in>

Date Tue 2026-05-19 10:10 AM

To secy-moef@nic.in <secy-moef@nic.in>; PUJA KALRA <pujakalra09@gmail.com>; bhanwar09jadon@gmail.com <bhanwar09jadon@gmail.com>; rk407@rediffmail.com <rk407@rediffmail.com>; aqzaidi110@gmail.com <aqzaidi110@gmail.com>; sk.bhardwaj24@gov.in <sk.bhardwaj24@gov.in>; deeksha.kakar@scladi.com <deeksha.kakar@scladi.com>; msdpcc@nic.in <msdpcc@nic.in>; csdelhi@nic.in <csdelhi@nic.in>; eecdr6.djb@gmail.com <eecdr6.djb@gmail.com>; irrigation@hry.nic.in <irrigation@hry.nic.in>; kaushalsanjeev@hry.nic.in <kaushalsanjeev@hry.nic.in>; sslg.delhi@gov.in <sslg.delhi@gov.in>; seclg@nic.in <seclg@nic.in>; delhishelter@gmail.com <delhishelter@gmail.com>; mangal.singh@mcd.nic.in <mangal.singh@mcd.nic.in>; office@marklegal.co.in <office@marklegal.co.in>; Jmalawoffices@gmail.com <Jmalawoffices@gmail.com>; Sahayk@gmail.com <Sahayk@gmail.com>; zainhaider750@gmail.com <zainhaider750@gmail.com>

Cc Kunal Mimani <kunal.mimani@foxandmandal.co.in>; Kartikey Bhatt <kartikey.bhatt@foxandmandal.co.in>

📎 1 attachment (5 MB)

Additional Affidavit.pdf;

Dear Madam/Sir,

Please see attached a copy of the Additional Affidavit to be filed on behalf of the Applicant - Abhishek Dutt in I.A. No. 329 of 2024 in the captioned matter, as and by way of advance service upon you.

Regards,

**Tanish Arora**

Associate



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**From:** Tanish Arora

**Sent:** 14 March 2026 12:07 PM

**To:** secy-moef@nic.in <secy-moef@nic.in>; PUJA KALRA <pujakalra09@gmail.com>; bhanwar09jadon@gmail.com <bhanwar09jadon@gmail.com>; rk407@rediffmail.com <rk407@rediffmail.com>; aqzaidi110@gmail.com <aqzaidi110@gmail.com>; sk.bhardwaj24@gov.in <sk.bhardwaj24@gov.in>; deeksha.kakar@scladi.com <deeksha.kakar@scladi.com>; msdpcc@nic.in <msdpcc@nic.in>; csdelhi@nic.in <csdelhi@nic.in>; eecdr6.djb@gmail.com <eecdr6.djb@gmail.com>; irrigation@hry.nic.in <irrigation@hry.nic.in>; kaushalsanjeev@hry.nic.in <kaushalsanjeev@hry.nic.in>; sslg.delhi@gov.in <sslg.delhi@gov.in>; seclg@nic.in <seclg@nic.in>; delhishelter@gmail.com <delhishelter@gmail.com>; mangal.singh@mcd.nic.in <mangal.singh@mcd.nic.in>; office@marklegal.co.in <office@marklegal.co.in>; Jmalawoffices@gmail.com <Jmalawoffices@gmail.com>; Sahayk@gmail.com <Sahayk@gmail.com>; zainhaider750@gmail.com <zainhaider750@gmail.com>; advzainhaider@gmail.com <advzainhaider@gmail.com>; advpriyankaswami@gmail.com <advpriyankaswami@gmail.com>; ac10.adv@gmail.com <ac10.adv@gmail.com>; NARENDER PAL SINGH <narenderpalsingh@gmail.com>

**Cc:** Kunal Mimani <kunal.mimani@foxandmandal.co.in>; Kartikey Bhatt <kartikey.bhatt@foxandmandal.co.in>

**Subject:** Original Application No. 6 of 2012 - Nizamuddin West Association v. Union of India & Ors. I National Green Tribunal, Principal Bench

Dear All,

Please see attached a copy of the IA to be filed on behalf of the Applicant - Abhishek Dutt in I.A. No. 329 of 2024 in the captioned matter, as and by way of advance service upon you.

Regards,

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