

BEFORE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
Original Application No. 34 of 2025

In the matter of:

Sunil Sharma

... Applicant

Versus

State of Haryana & Ors.

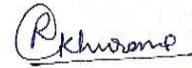
... Respondent

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Filed

Through



Rahul Khurana, Advocate  
A-174A, 2<sup>nd</sup> Floor, Defence Colony  
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Date: 21.07.2025

BEFORE THE NATIONAL GREEN TRIBUNAL  
AT PRINCIPAL BENCH, NEW DELHI

OA No. 34 of 2025

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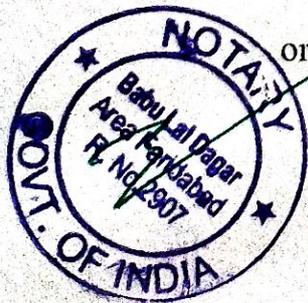
ADDITIONAL STATUS REPORT BY WAY OF  
AFFIDAVIT OF DHIRENDRA KHADGATA,  
COMMISSIONER, MUNICIPAL CORPORATION,  
FARIDABAD IN COMPLAINE OF ORDER  
DATED 30.05.2025

MOST RESPECTFULLY SHOWETH:

Register Entry No. 1046  
Dated 21/07/2025

I, Dharendra Khadgata, IAS, Commissioner, Municipal Corporation, Faridabad, do hereby solemnly affirm and declare as under:

1. That this Hon'ble Tribunal after considering report submitted by the deponent, passed order dated 30.05.2025. The relevant portion of order dated 30.05.2025 is reproduced below:-



“43. The Commissioner, Municipal Corporation Faridabad is directed to file additional status report with respect to the land in question with requisite details as directed above and also separate report with respect to action taken regarding removal

RY

*of encroachments from Public Parks other than the land in question within municipal area of Municipal Corporation, Faridabad."*

2. That in compliance of the aforesaid order passed by this Hon'ble Tribunal directions were issued to the Planning Branch of this Corporation and Joint Commissioner (F) seeking information about the status of the land in question and further to all the Joint Commissioners as to what action has been taken for removing of the unauthorized structure from the Public parks.
3. That the Senior Planner of Municipal Corporation, Faridabad vide office memo no. MCF/CTP/2025/791 dated 03.07.2025 and 793 dated 03.07.2025 has intimated that :-
  - i. That as per the Revised Zoning Plan bearing Drawing no. MCF/CTP/2000/1139 dated 07.07.2000 for DLF Sector-11 Faridabad which has been traced from the Drawing no. DTP(F)/548/75 dated 14.03.1975, the site under reference falls in the category of Public Open Space in which it has been specifically mentioned to be used besides landscape feature, for Educational and Public Building and Amenities.
  - ii. That also as per approved layout plan of sector-11, Faridabad bearing Drawing No. MCF/STP/2000/1145 dated



*[Handwritten signature]*

04.09.2000 this area is shown as "lawn" which as per dictionary meaning is "an area of grass in garden or park that is regularly cut.

- iii. That in view of the above Zoning provisions given in which has been traced from the drawing no. DTP(F)/548/75 dated 14.03.1975 and FCA Building Rules 1989 definitions, this site is falling in the Public Open Space.
- iv. That as per record, Sector-11 Faridabad where the said Mandir/encroached area exists has been transferred to MCF vide order dated 09.02.1984 for maintenance and upkeep of services and as per condition no. 1 that the ownership of the roads, open spaces, parks and area earmarked for public amenities water-supply, overhead tank, sewer lines, drainage and all such infrastructural development as provided by M/s DLF Universal Ltd. in the said colony, shall vest with Faridabad Complex Administration. In the office order bearing Endst. no. FCA/T/STP/89 dated 09.02.1984, issued by the then Chief Administrator, it has been specifically mentioned that Faridabad Complex Administration is pleased to take over DLF, Sector-11 excluding the area under shopping centre from M/s DLF Universal Ltd as shown in the lay-out plan and further the



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ownership of the roads, open spaces, parks and the area earmarked for public amenities, water-supply, over head tank, sewer lines, drainage etc. shall vest in the Municipal Corporation, Faridabad.

- v. That Director, Town and Country Planning Haryana vide memo 6356-I VDF-67/4671 dated 15-10-1967 granted permission to M/S DLF Housing construction Pvt. Ltd for setting up of a colony in the Controlled Area, Sector-11, Faridabad. The Senior Town Planner vide memo no. 813 dated 16.07.2025 has further clarified that open spaces in residential colony(s) are areas typically uncovered and accessible to the Public, that promote social interaction, enhance aesthetics and offer recreational opportunities. Open spaces can includes park, lawn, playground and other recreational activities. These spaces are crucial for healthy life style, providing fresh air, promoting feasible activity and creating sense of community. Also, absence of a Policy allowing temple construction in open spaces suggests that such construction might not be permitted. The report submitted by the Planning Branch is attached as **Annexure R -1 and R-2.**



*[Handwritten signature]*

vi. That the Senior Architect Incharge of the Panchayat Branch of the corporation vide memo no. MCF/TEH/2025/457 dated 09.07.2025 has submitted his report mentioning therein that the land in question bearing MUSTTIL NO. 24, Kila No. 4 is situated with in the Revenue Estate of Village Mujesar, Faridabad and as per revenue record same has been entered in the name of DLF United Limited Cannought Place, New Delhi. The said report has been retrieved from the cadastral map available on the Digital Land Record , Haryana, however as mentioned in pre paras, ownership of all the open space, park etc have already been vested in the Municipal Corporation, Faridabad. The report is attached as **Annexure R-3.**



vii. That it has been reported by the concerned Joint Commissioner that Radha Kishan temple Trust has made unauthorized structure on the open space by way of constructing Temple, Pujari Room, Store, Kitchen, stairs and in one corner has constructed a shed having Murti of Shiv Pariwar. It is pertinent to mention here that out of total area measuring 6992 Sq. feet, Radha Kishan Temple has made unauthorized structure on 4541 Sq. Feet area and has left 2451 Sq. Feet area. The sketch plan is attached as

*[Handwritten signature]*

**Annexure R-4.** It is pertinent to mention here that from the bare perusal of the above said paras, it reveals that Municipal Corporation Faridabad is the owner of the land in question and the said temple has made unauthorized structure on the property of the Corporation. It is further submitted that as per the directions of the Hon'ble Punjab and Haryana High Court at Chandigarh passed an order on 14.05.2025 in CWP No. 13790 of 2025- title as Shree Radha Kishan Trust Vs State of Haryana & Ors with the direction "*meanwhile, no demolition shall take place of property dispute*" and due this restrain order, demolition of impugned temple could not be done. Now the said writ petition is fixed on 22.07.2025.



4. That in pursuance of a complaint received regarding encroachment/illegal structure erected on the park, a show cause notice u/s 408 A HMC Act 1994 dated 13.03.2025 was issued to Devender Maan with the directions to remove the said structure and restore it in previous condition. The said notice was issued to Devender Maan as he was the care-taker of the said temple and due to this, parentage and address could not be mentioned and the said version was inadvertently could not be mentioned in the previous

*[Handwritten mark]*

status report, However, the Joint Commissioner(F) has been advised not to repeat such things in future.



Present status report is being submitted for consideration of this Hon'ble Tribunal.

*[Signature]*  
Deponent

**VERIFICATON**

Verified at Faridabad on 20/July/2025 that the contents of above affidavit are true and correct to my knowledge and on the basis of information derived from the official record which I believe to be true and no material fact has been concealed therein.

I know the Deponent, Executant and has signed/Thumb Marked/L.T./R.T.J in my presence

**ATTESTED AS IDENTIFIED**

*[Signature]*  
Deponent

**NOTARY  
Faridabad (Harvana)**

**21 JUL 2025**

The Director,  
Town & Country Planning, Har

N. & D.P. Housing & Construction Pvt. Ltd.  
Gonnaught place,  
New Delhi.

Memo. No. 6355-IVDP-67/4671

Dated Chandigarh the 15th October, 1967.

Subject: Setting up of colonies in the Controlled Area  
Faridabad. Case of ILP Sector 11.

...

Reference your application dated 18th September,  
1967, on the subject noted above.

2. After careful examination of the plans and documents  
furnished by you, permission is hereby granted under rule  
20 of the Punjab Scheduled Roads and Controlled Areas  
Restriction of Unregulated Development Rules, 1960 to the  
setting up of Residential colony in the Controlled Area  
Faridabad subject to the following conditions:-

- (a) that the colony is laid out to conform to  
approved plans and development works are execut-  
ed according to the designs and specifications  
shown in the approved plans accompanying the  
permission;
- (b) that the conditions of the agreements (informal  
Q. II and that dated 13/11/1967 already  
executed are duly fulfilled and the provisions  
of the Punjab Scheduled Roads and Controlled  
Areas Restriction of Unregulated Development  
Rules, 1960 are duly complied with.
- (c) that as provided by you in the agreement of the  
13/11/1967 all disputes arising out of this  
approval or the agreements referred to above  
shall be referred to the sole arbitration of  
Secretary, Town and Country Planning, Har

Sd/-  
Director,  
Town & Country Planning, Har

ENCL. NO. 4355-K

Encl. No. 6355-IVDP-67/449

Dated Chandigarh the

Copy is forwarded to Senior Town Planner for reference to his memo. No. 951-SP/HR-34 dated 14th Arch. 67 for information. He is requested to sign the layout plan submitted by the Coloniser in accordance with his advice in the memo. under reference. (Enclosed)

*Sd/-*  
Deputy Director,  
for Director Town & Country Planning, Haryana.

Encl. No. 6356-IVDP-67/446

Dated Chandigarh the 23th Nov., 67.

Copy is forwarded to the Chief Engineer P. W. D. Public Health Branch Haryana, Chandigarh for information with reference to his letter No. 9328-PH/BA dated the 13th July, 1967, and his subsequent letter No. 13569-PH/B dated the 7th Oct., 1967 for information and necessary action.

*Sd/-*  
Deputy Director,  
for Director Town & Country Planning, Haryana.

Encl. No. 6355-IVDP-67/443

Dated Chandigarh the 23th Nov., 1967

A copy is forwarded to the Chief Engineer Haryana P. W. D. Branch Chandigarh for information with reference to his memo No. 132- W/06/61 dated the 4th July, 1967.

*Sd/-*  
Deputy Director,  
for Director Town & Country Planning, Haryana.

Encl. No. 6355-IVDP-67/443

Dated Chandigarh the 23th Nov., 1967.

A copy is forwarded to the Estate Officer, Faridabad for information.

*Sd/-*  
Deputy Director,  
for Director Town & Country Planning, Haryana.

23/11/1967.

From

Senior Town Planner,  
 Municipal Corporation,  
 Faridabad.

To

District Attorney,  
 Municipal Corporation,  
 Faridabad

Memo No. MCF/CTP/2025/ 793

Dated: 3/7/2025

Sub: OA No. 34/2025 : Sunil Sharma vs. State of Haryana & Others.

Ref: In continuation to this office memo no. MCF/CTP/2025/791 dated 03.07.2025

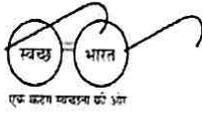
On the subject cited matter, as desired by Legal Branch, this office reply dated 24.06.2025 alongwith clarification given on 27.06.2025 is being reiterated as under:-

**Report Dated 24.06.2025**

Sr No.	Report Sought	Remarks
1	Khasra number, along with the length and width of the land in question.	No detail of khasra number is available in this office, as it was permission granted by DTCP, the original khasra numbers are with Directorate General, Town & Country Planning, Haryana. As per email received from DTCP office that no detail of khasra number is available with this office
2	Details regarding the ownership and possession of the said land	Apart from reply at point no. 1 it is reported that Sector-11 is transferred to MCF vide order dated 09.02.1984 for maintenance and upkeep of services and as per condition no. 1 that the ownership of the roads, open spaces, parks and areas earmarked for public amenities water-supply, over head tank, sewer line, drainage, and all such infrastructural development as provided by M/s DLF Universal Ltd. In the said colony, shall vest with Faridabad Complex Admn, Faridabad.
3	Land use status as per the layout/master plan of District Faridabad.	As per layout plan of Sector-11 (copy enclosed), site under reference is designated as Lawn & not green belt/park.
4	Information on possession and user before construction of the religious structure.	The original land use is Lawn.
5	Information on possession and user after the construction of the religious structure.	Site is being utilized as Religious purpose as Shri Radha Krishan Mandir.

**Clarification dated 27.06.2025:-**

1. That as per the revised zoning plan bearing Drg. No. MCF/CTP/2000/1139 dated 07.07.2000 for DLF sector-11, Faridabad which has been traced from the drawings no DTP(F)/548/75 dated 14.03.1975 the site under reference fall in the category of public open space in which it has been specifically mentioned to be used besides landscape feature, for Educational & public Buildings & Amenities.
2. That also as per approved layout plan of sector-11, Faridabad bearing Drawing No MCF/STP/2000/1145 dated 04.09.2000 this area is shown as "lawn" which as per dictionary meaning is "an area of grass in garden or park that is regularly cut".
3. That as per FCA building rules notified vide No. G.S.R. 91/H.A. 42/71/S. 43 and 57/89 dated 8th December 1989 Part-I Clause 2(b)vi the definition of "Zoning Plan" means the detailed layout plan of the sector or municipal area and part thereof maintained in the office of the Faridabad Complex Administration showing the



451 Municipal Corporation, Faridabad

B.K. Chowk N.I.T Faridabad -121001, Haryana-India  
Tel. : 0129-2411649, 2411664, 2415549  
Fax : 0129-2416465



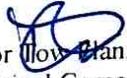
॥ वाचं धेनुमुपासीत ॥

sub-division of plots, open spaces, streets, position of protected trees and other features and in respect of each plot, permitted land use, building lines and restrictions with regard to the use and development of each plot in addition to those laid down in the building rules.

4. That in view of the above Zoning provisions given in which has been traced from the drawing No DTP(F)/548/75 dated 14.03.1975 & FCA Building Rules 1989 defenations, this site is falling in the public open space.

As regards, khasra No. of the land in question is concerned, the same was sought from DTP, Faridabad vide email dated 03.07.2025. In reply as per email dated 03.07.2025 received from DTP, Faridabad, it has been informed that the Sazra Based lay out plan of M/s. DLF Universal Ltd. Sector-11, Faridabad is not available in his office record. However, a copy of permission for setting up of a colony in the Controlled area Faridabad-the case of DLF Sector-11, Faridabad granted to M/s. DLF Housing Construction Pvt. Ltd. by Director, Town & Country Planning Haryana vide memo No. 6356-I VDF-67/4671 dated Chandigarh the 15<sup>th</sup> October, 1967 is enclosed. The measurement of land in question may be obtained from Joint Commissioner (Faridabad), Municipal Corporation, Faridabad. Each copy of layout plan alongwith revised zoning plan DLF Sector-11, Faridabad bearing Drawing No. MCF/ CTP/2000/1139 dated 07.07.2000 is also enclosed for reference and record.

This is for information & further necessary action in this matter, please.

For:   
Senior Town Planner  
Municipal Corporation,  
Faridabad

Encl :- As above.

Endst No. MCF/CTP/2025/

Dated :

A copy of the above is forwarded to Joint Commissioner(F) for information and further necessary action, please.

For: Senior Tow Planner  
Municipal Corporation,  
Faridabad



**452**  
Municipal Corporation, Faridabad  
B.K. Chowk N.I.T Faridabad -121001, Haryana-India  
Tel. : 0129-2411649, 2411664, 2415549  
Fax : 0129-2416465

Annexure R-3



From

Senior Architect  
(Incharge Panchayat Branch)  
Municipal Corporation  
Faridabad

*For info*  
*[Signature]*  
*10/7*  
*LA*

To

District Attorney  
Municipal Corporation  
Faridabad

Memo No. : MCF/TEH /2025/ 457  
Dated : 09-07-2025

Sub: **OA No. 34 of 2025- Sunil Sharma Vs. State of Haryana & Ors.**

With regard to the detail of khasra number of the land under encroachment (which is subject matter of the subject cited case), it is intimated that as per cadastral map available on the Digital Land Record Haryana (<https://hsac.org.in>) the khasra no. of the land on which temple has been constructed, is 24//4 in the revenue estate of village Mujessar. Copy of the Jamabandi for the year 2022-23 is attached at Annexure-I.

*[Signature]*

Kanugo-II  
For: Sr. Architect

Encl: As above.  
Cc: Ld. ACMC-I, for information pl.

जमावंदी नकल

पटवारी कानूनगो फॉर्म नं. 10

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फरीदाबाद

साल:

2022-2023

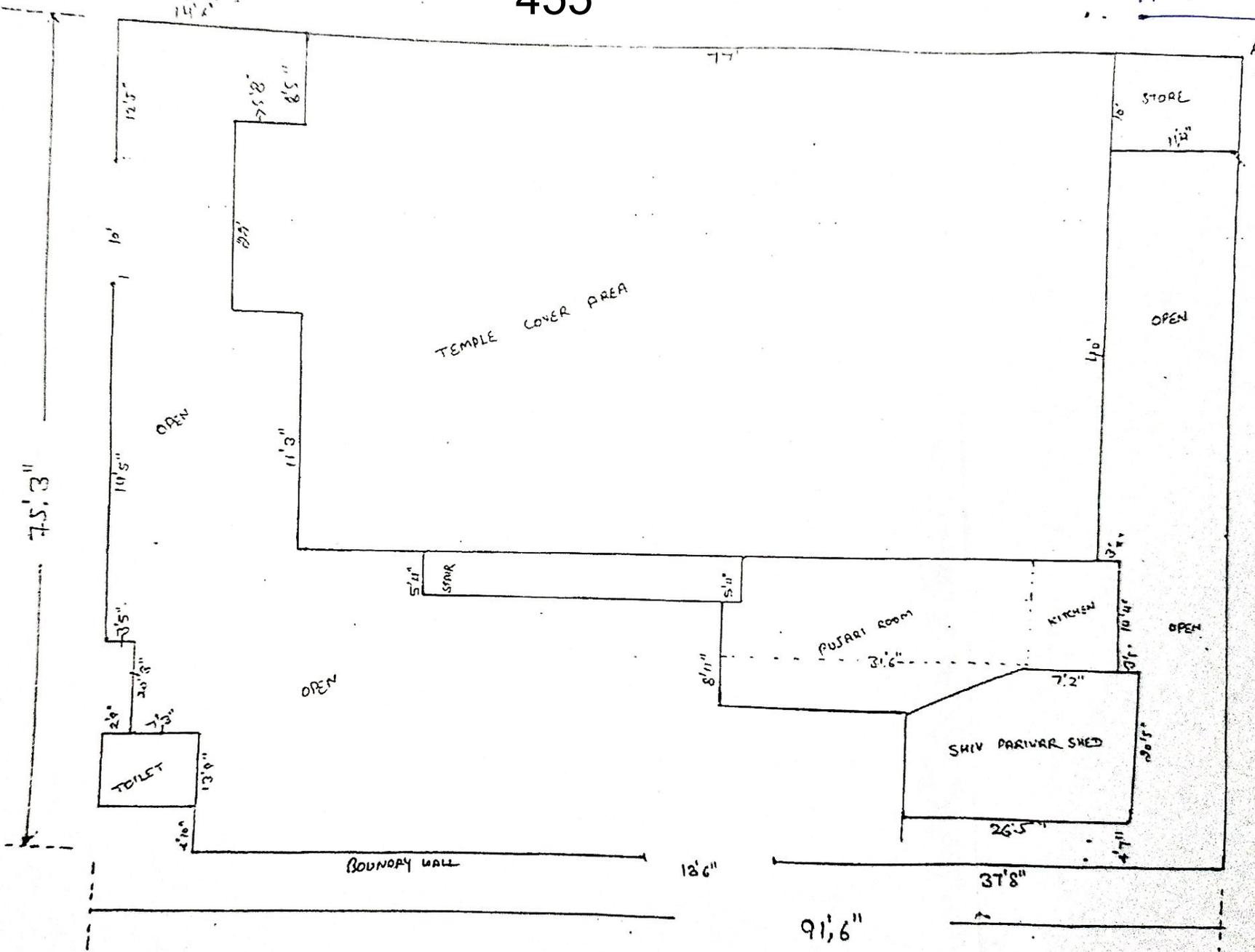
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Annexure-R4

ROAD



3.5

SECTOR II TEMPLE AREA BLOCK-B