

**BEFORE THE HONORABLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DLEHI**

**ORIGINAL APPLICATION NO. 1150 OF 2024
(& I.A. 433/2024)**

IN THE MATTER OF:

D5& D8 RESIDENT'S WELFARE ASSOCIATION,
MODEL TOWN, NEW DELHI ...APPLICANT
-VERSUS-

HORTICULTURE DEPARTMENT OF MCD,
KESHAVPURAM ZONE& ORS.

...RESPONDENTS

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2.	ANNEXURE R-8: A true copy of the latest photographs of the park,	6-10

3. Proof of Service

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Place: New Delhi

Date: 30.04.2026



RESPONDENT NO.1

Asst. Director (Hort.)
Keshav Puram Zone
Municipal Corporation of Delhi

Through Advocate

DIVYA SWAMY

Advocate

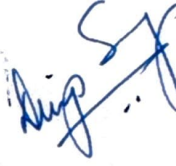
Reg. No. D/1160/2014

Ch.No.:203, Setalvad Lawyers Block

Supreme Court of India

Off. A-131 (LGF), Sector-46, Noida

Ph.: 8860050449



DR. DIVYA SWAMY

STANDING COUNSEL

MUNICIPAL CORPORATION OF DELHI

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BEFORE THE HONORABLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI

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AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 1, MUNICIPAL
CORPORATION OF DELHI IN TERMS OF ORDER DATED 09.04.2026.

MOST RESPECTFULLY SHOWETH: -

I, K. Manvendra Pratap Singh, S/o Sh. Gyan Pratap Singh, aged about 39 years, presently posted as Asstt. Director (Hort.), Keshav Puram Zone MCD, do hereby solemnly affirm and declare as under:

1. That I am the authorized representative of the Respondent No.1 in the aforesaid matter and I am well conversant with facts and circumstances of the case and I am competent to swear the present affidavit.
2. That the present affidavit is being filed behalf of the Respondent No. 1, in compliance of order dated 09.04.2026 to present the stand of MCD on record regarding the impugned park and its limited usage for Ramlila.
3. That the Respondent No.1 has carried out inspection of the park from time to time and the park was found to be in proper condition. Regular inspections are done to ensure that the Park is in good condition and maintained properly. A true copy of the latest photographs of the park are marked as ANNEXURE R-8.
4. That it is most humbly submitted before this Hon'ble Tribunal that the Respondent No. 1 has not acted in violation of the *M.C. Mehta v. Union of India* (2009) 17 SCC 683 or in violation of circular dated 22.08.2013. Upon conjoint reading of *M.C. Mehta (supra)* guidelines and circular dated 22.08.2013, it is submitted that



no absolute embargo has been created on usage of parks. Notably, the impugned park had been adopted for the purposes of Ramlila as a matter of practice since 2006 as per records available with the Respondent No. 1 and as such it falls under clause 2(i) of the circular dated 22.08.2013 which states that only those parks will be booked in which puja or some religious function was being held for at least 5 years. Thus, no bar operates on continuation of organizing Ramlila in the impugned park.

5. That it is humbly submitted that the guidelines issued by the Hon'ble Supreme Court in *M.C. Mehta (supra)* primarily attempted to reduce usage of parks for social purpose such as commercial/marriage halls and consequently observed as follows:

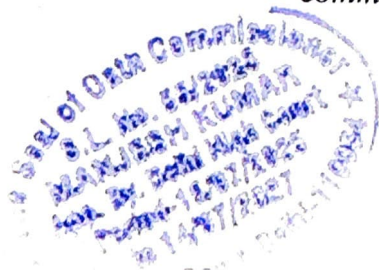
"6. We agree with Mr. Mehta that the recreational and other aesthetic uses of the parks cannot be curtailed. Mr. Mehta is also correct that the permitted use of the parks being recreation"

7. We are of the view that MCD, NDMC and DDA shall in a phased manner stop the granting of permission for the use of the parks for commercial/marriage purposes, etc. The material placed on record shows that MCD is permitted such use in 1023 parks, DDA in 146 parks and NDMC in 51 parks.

8. After hearing learned counsel for the parties, we direct as under:

(1) The use of parks by MCD, NDMC and DDA for the purposes mentioned above shall not be permitted more than 10 days in a month. In other words, when any of the designated parks is used for such purposes 10 days in a month, no function thereafter shall be permitted during the remaining 20/21 days.

(2) MCD, DDA and NDMC shall make endeavour to construct community halls for the purposes of marriages, etc.



(3) *The number of parks indicated by the 3 authorities used for marriage, etc. shall be reduced by 30% by 30-6-1997. It shall be reduced by further 20% by 31-12-1997. In other words, by the end of December 1997, the use of the parks for marriage, etc. shall be reduced by 50%. The authorities concerned shall file affidavits stating the progress in the projects for the construction of community halls and also stopping the use of the parks for marriages, etc. by the end of December 1997. This may be monitored further by this Court in January 1998.*

(4) *We direct that no tree shall be cut from any of the parks for any purpose, specially to facilitate the holding of these functions, etc.*

6. It is humbly submitted that as per judgment, while balancing the environmental necessities and societal needs regarding proper usage of a park, the Hon'ble Supreme Court directed that the usage of the park shall be limited to 10 days per month for the purposes of marriage etc. and such other functions **however**, in the present case the park is booked once in a year for religious and cultural purpose to conduct Ramlila. The park is primarily occupied for a 10 days event and the remaining period of occupation is for installation and uninstallation of stage and other logistic requirements.

7. That the reliance placed by the Applicant on ***Resident's Welfare Association Ashok Vihar & Ors. vs. Delhi Development Authority & Ors.***, reported in 2004 (73) DRJ 621 and the order dated 02.11.2023 passed in W.P.(C) No. 14044/2023 in the matter of ***Adarsh Engineers Enclave Resident Welfare Association vs. Municipal Corporation of Delhi & Anr.*** is not applicable on the present case. In ***Adarsh Engineers Enclave RWA (supra)***, the circular dated 22.08.2013 was operative and the ornamental park therein did not fall under the exception of clause 2(i) of the circular, that is parks in which puja or some religious function is being held for at least last 5 years. In ***Ashok Vihar (supra)***, the judgment has been passed before the circular was issued thus, it is not applicable to the present case.



8. That further, regarding the request of adoption of the park, vide a separate letter dated 30.10.2024 it was informed that since the park was already adopted by Respondent No.2 under MoU therefore, the park could not be handed over to D-5 & D-8 RWA Model Town till it is surrendered to MCD.

RESPONDENT NO.1

Asstt. Director (Hort.)
Keshav Puram Zone
Municipal Corporation of Delhi

Through Advocate

DR. DIVYA SWAMY
Advocate
Reg. No.: D/1160/2014
Ch. No. 203, Setalvad Lawyers Block
Supreme Court of India
Off: A-131, Sector 46, NOIDA
Ph.: 8860050449

DR. DIVYA SWAMY
STANDING COUNSEL

MUNICIPAL CORPORATION OF DELHI
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Sector 46, NOIDA Uttar Pradesh- 201301
Email: divya@dylawchambers.com
Contact: +91- 8860050449

Place: New Delhi
Date: 30.04.2026

*Identify the deponent with
that named in my affidavit*

VERIFICATION

23 APR 2026

Verified at New Delhi on this _____ day of _____, 2026 that the contents of Para 1 to 8 of the above 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.

DEPONENT
Asstt. Director (Hort.)
Keshav Puram Zone
Municipal Corporation of Delhi

DEPONENT
Asstt. Director (Hort.)
Keshav Puram Zone
Municipal Corporation of Delhi


67/26
The Seal of the Commissioner
S.L. No. 55/2025
MAKJESH KUMAR
App. By Delhi High Court
Period-15/07/2025
to 14/07/2027
Tis Hazari Court, Delhi-110054

WHAT THE DEPONENT
Shri/Smt./Km... *K. Manoj Kumar P. Singh*
S/o W/o D/o... *Krishna Singh*
R/o...
Identified by Shri/Smt... *Dr. Divya Swamy*
has solemnly affirmed before me at
Delhi on... at Pt. No. *67/26*
that the Contents of the affidavit which has
been read and explained to him are true and
correct to his knowlwdge.

Oath Commissioner

23 APR 2026



 GPS Map Camera



Delhi, Delhi, India 

D 8/12, Model Town Phase 2, Pocket D 8, Phase 2, Model Town, Delhi, Delhi
110033, India


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Tuesday, 28/04/2026 12:46 PM GMT +05:30

739

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 GPS Map Camera




New Delhi, Delhi, India

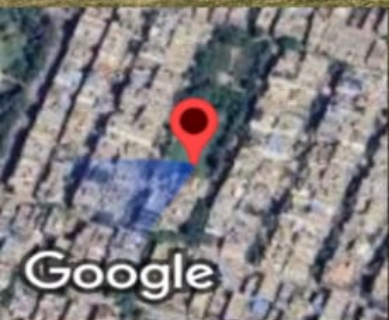
D8/7, Model Town Phase 2, Pocket D 8, Phase 2,
Model Town, New Delhi, Delhi 110033, India

Lat 28.708368° Long 77.186493°

Tuesday, 28/04/2026 12:45 PM GMT +05:30



 GPS Map Camera



New Delhi, Delhi, India 

D8/7, Model Town Phase 2, Pocket D 8, Phase 2, Model Town, New Delhi, Delhi
110033, India

Lat 28.708375° Long 77.186486°

Tuesday, 28/04/2026 12:45 PM GMT +05:30

741



GPS Map Camera




New Delhi, Delhi, India 

D5/12, Pocket D 4, Phase 2, Model Town, New Delhi, Delhi 110033, India


Lat 28.708967° Long 77.186419°

Tuesday, 28/04/2026 12:47 PM GMT +05:30



 GPS Map Camera



Delhi, Delhi, India 

D 8/12, Model Town Phase 2, Pocket D 8, Phase 2, Model Town, Delhi, Delhi
110033, India

Lat 28.708852° Long 77.186668°

Tuesday, 28/04/2026 12:46 PM GMT +05:30

01/05/2026, 20:45

D&Y Law Chambers Mail - Affidavit on behalf of MCD | NGT IOA No. 1150/2024 D5 & D8 Residents Welfare Association, Model Town, ...



Divya Swamy <divya@dylawchambers.com>

Affidavit on behalf of MCD | NGT | OA No. 1150/2024 D5 & D8 Residents Welfare Association, Model Town, New Delhi Versus Horticulture Department of MCD, Keshavpuram Zone

1 message

Divya Swamy <divya@dylawchambers.com>
To: abhishekshivpuri@outlook.com, mehtavikas@hotmail.com

1 May 2026 at 20:45

Sir,


PFA Affidavit on behalf of MCD in OA No. 1150/2024 D5 & D8 Residents Welfare Association, Model Town, New Delhi Versus Horticulture Department of MCD, Keshavpuram Zone in terms of order dated 09.04.2026.

--

Warm Regards,

Dr. Divya Swamy
Partner, D&Y Law Chambers
Ph.D. Dr. RMLNLU Lucknow | LL.M. (Gold Medal)
Off- A-131 (LGF), Sector 46, Noida 201301
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