

BEFORE THE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****IN****Original Application No. 836/2024****IN THE MATTER OF:**

SARITA DWIVEDI

...APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS. ...RESPONDENTS

N.D.O.H: 20.03.2026**INDEX**

S.no.	Particulars	Page no.
1.	Reply/Affidavit on behalf of Respondent No. 8, M/S Ramniya Estate Developers Pvt. Ltd., in compliance with the Order dated 09.02.2026 passed this Hon'ble Tribunal in Original Application No. 836/2024.	1-8
3.	<u>ANNEXURE-R8/1:</u> A true copy of Order dated 02.09.2024 passed by this Hon'ble Tribunal taking suo-motu cognisance of the Letter Petition dated 30.10.2023.	9- 11

4.	ANNEXURE R8/ 2 A True Copy of the letter dated 16.03.2026 addressed to the Municipal Commissioner, Lucknow.	12-13
5.	Vakalatnama.	14-15

THROUGH COUNSEL,



PORASH KUMAR

(Counsel for Respondent No. 8)

Office: A-11, Lajpat Nagar – III,

New Delhi – 110024

Mob: 8006409678,

Email: porussince1996@gmail.com

Date: 19.03.2026

Place: New Delhi

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
IN
Original Application No. 836/2024**

IN THE MATTER OF:

SARITA DWIVEDI

...APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS.

...RESPONDENTS

N.D.O.H: 20.03.2026

REPLY/AFFIDAVIT ON BEHALF OF RESPONDENT NO. 8,

M/S RAMNIYA ESTATE DEVELOPERS PVT. LTD., IN

COMPLIANCE WITH THE ORDER DATED 09.02.2026

PASSED THIS HON'BLE TRIBUNAL IN ORIGINAL

APPLICATION NO. 836/2024.

I, Shyam Sunder, S/o Shri Bhagwat Prasad, aged about 39 years, Authorised Signatory of M/s Ramniya Estate Developers Pvt. Ltd., having its registered office at 7, L.S.C., Kalkaji, New Delhi-110019, do hereby solemnly affirm and state as under:

1. That I am the Authorised Signatory of Respondent No. 8, namely M/s Ramniya Estate Developers Pvt. Ltd. in the above-titled Original Application. I am well conversant with the facts, circumstances, and historical background



of the present case based on the official records maintained by the company in its ordinary course of business, and as such, I am fully authorised and competent to swear and file this present affidavit.

2. That at the outset, it is pertinent to mention that the present Respondent was not originally a party to the present Original Application when the Hon'ble Tribunal took suo-motu cognisance of the matter. The present Respondent has been newly arrayed as Respondent No. 8 pursuant to the specific directions passed by this Hon'ble Tribunal vide its order dated 09.02.2026 in the above-mentioned O.A. No. 836 of 2024, wherein this Hon'ble Tribunal observed that the presence of the Respondent No. 8 is essential for the just, fair, and comprehensive adjudication of the environmental questions involved in this case.

3. That following the impleadment of the Respondent No. 8 and the subsequent issuance of notice by the Registry, the present reply affidavit is being filed in compliance with the said order dated 09.02.2026 passed in O.A. No. 836 of 2024. That any averment or insinuation in the Original



Application contrary to the facts set out hereinafter is categorically and vehemently denied.

4. That the Respondent No. 8, M/s Ramniya Estate Developers Pvt. Ltd., is a distinct and independent corporate entity engaged in real estate development. The Respondent No. 8 was exclusively responsible for the development of an area of approximately 19.2 hectares or 1,92,623 Sq. Mtrs., after having been granted by the competent regulatory authorities vide Permit No. 20828, issued on 08.08.2005.
5. That the present litigation stems from a letter petition filed in October 2023 alleging the illegal encroachment and filling of five natural water bodies within the broader township. This Hon'ble Tribunal took suo-motu cognisance of the matter.

A true of the Order dated 02.09.2024 passed by this Hon'ble Tribunal, taking suo-motu cognisance of the Letter Petition dated 30.10.2023, is annexed and marked as **ANNEXURE R8/1**.



6. That at the very outset, the Respondent No. 8 humbly submits that upon a careful review of the revenue records

and the geographical layout of the township, only one single water body, identified as the pond situated at Gata/Khasra No. 1653, is located within the area developed by the Respondent No. 8.

7. Consequently, the Respondent No. 8 has absolutely no jurisdictional nexus, operational control, or developmental connection with the remaining four water bodies situated within the larger township, as those fall entirely within the distinct area developed independently by Respondent No. 6.
8. That at present the Residents Welfare Association has assumed responsibility for taking over the project and maintaining the common area of the project for a considerable period of time.
9. Further, regarding the single pond located at Gata No. 1653, the Respondent No. 8 submits that the comprehensive physical restoration and ecological rejuvenation of this water body have already been meticulously executed by Respondent No. 6, i.e., M/s Omaxe Limited. The extensive on-ground tasks, which included the clearing of bushes, deep desilting, the



scientific reconstruction of the embankments, and the installation of Reinforced Cement Concrete boundary pillars, were undertaken and successfully completed by Respondent No. 6 to ensure the overall ecological integrity of the township.

10. That upon a careful perusal of the earlier records, affidavits, and pleadings filed by the respective civic authorities in the present matter, the Respondent No. 8 notes that the Nagar Nigam Lucknow has rightfully claimed absolute jurisdiction and ownership over the property comprising these ponds.
11. That on 16.03.2026, taking proactive cognisance of the completed restoration work, the Respondent No. 8 addressed a written communication to the Municipal Commissioner, Nagar Nigam Lucknow. Through this official correspondence, the Respondent No. 8 has recorded the successful physical restoration of the pond.
12. The Respondent categorically submits that the land corresponding to Gata No. 1653 has always been a public asset belonging to the Revenue Department and the Nagar Nigam. It was never the private property of the Respondent



No. 8, nor was any title or proprietary interest ever transferred to it during the development of the township.

A True Copy of the letter dated 16.03.2026 addressed to the Municipal Commissioner, Lucknow, is annexed herewith as **ANNEXURE R8/2.**

13. That in complete alignment with the Nagar Nigam's rightful claim over the said property, the Respondent assures this Hon'ble Tribunal of its unconditional and immediate cooperation. Should the Nagar Nigam Lucknow, the District Administration, or this Hon'ble Tribunal require the execution of any formal documents, or the completion of any other procedural and legal formalities the Respondent is completely ready and willing to fulfill those requirements instantly to ensure a seamless transition of the asset.

14. That notwithstanding the fact that the exhaustive physical restoration of the pond at Gata No. 1653 has already been accomplished by Respondent No. 6, the Respondent No. 8 wishes to unequivocally express its absolute readiness to comply with any further directions.

Therefore, the Respondent No.8 humbly prays that its

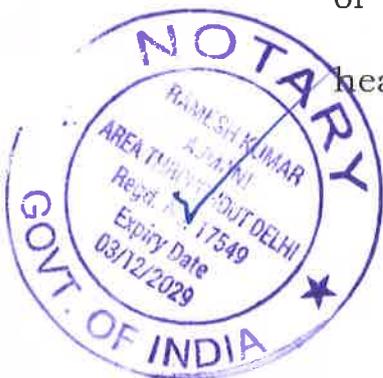


compliance be taken on record and it be discharged from any further liability in the present proceedings.

15. That the Respondent submits itself to the jurisdiction of this Hon'ble Tribunal. Should this Hon'ble Court deem it necessary to pass any additional mandates, directives, or administrative orders specifically concerning the pond at Gata No. 1653, the Respondent No. 8 stands fully committed to executing them in letter and spirit without any hesitation.

16. That the contents of the present affidavit are drafted based on the official records of the company and legal advice received, which the Respondent No. 8 believes to be true and correct. It is submitted that this affidavit is filed in absolute good faith, in the interest of justice, and nothing material has been concealed therefrom.

17. That the Respondent No. 8 reserves its right to file any further, additional, or supplementary affidavit, if so required, to respond to any subsequent reports, pleadings, or directions that may emerge during the course of the hearings.



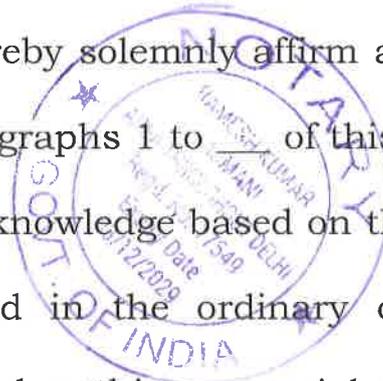
For Ramniya Estate Developers Pvt. Ltd.

[Handwritten Signature]

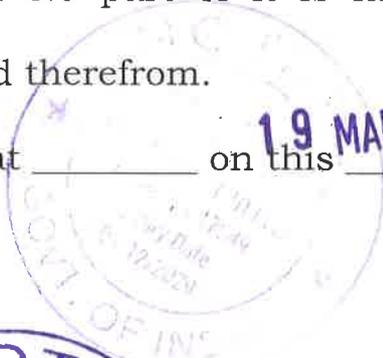
DEPONENT

VERIFICATION:

I, the deponent above-named, do hereby solemnly affirm and verify and declare that the contents of paragraphs 1 to _____ of this affidavit are true and correct to my personal knowledge based on the official records of the company maintained in the ordinary course of business. No part of it is false, and nothing material has been concealed therefrom.



Verified at _____ on this **19 MAR 2026** day of March, 2026.



For Ramniya Estate Developers Pvt.

[Handwritten Signature]

DEPONENT



CERTIFIED THAT THE DEPONENT
Shri/Smt./Km. *Shyam Sunder*
S/o, W/o, D/o *[Signature]*
R/o *[Signature]*
Identified By *[Signature]*
has solemnly sworn before me at Delhi
on *19/3/26* at *17* No. *[Signature]*
that the contents of the affidavit which
have been read & explained to him are
true and Correct to his knowledge

Notary Public Delhi (INDIA)

[Handwritten Signature]
12/3/26

19 MAR 2026

Item No.2

Court No. 2

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

Original Application No.836/2024

Sarita Dwivedi

Applicant

Versus

State of U.P.

Respondent

Date of hearing: 02.09.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL, JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant(s): None

ORDER

1. This Original Application under Sections 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as '**NGT Act, 2010**') has been registered in exercise of *suo-moto* jurisdiction in view of laid down by Supreme Court in *Municipal Corporation of Greater Mumbai Versus Ankita Sinha and Others, (2022) 13 SCC 401*, on a letter petition dated 30.10.2023, sent by Sarita Dwivedi, resident of 403, Omaxe City, Raebareli Road, Lucknow.

2. Complainant has stated that M/s Omaxe Limited, having its Regional Office at Cyber Tower, 2nd Floor, Vibhuti Khand, Gomti Nagar, Lucknow is developing a residential township in the name of 'Omaxe City' over land of different villages known as Aurangabad Khalsa and Ramaniya Estate, near Eldeco, Shahid Path, Lucknow. In developing the

above township the developer has encroached upon 5 natural ponds in the area details whereof are as under:

Sr. No.	Khasra No.	Area in Hectare	Nature of land recorded in Revenue Record	Present status/use of the land
1.	1211	0.0190	Pond	Plot and Pakl
2.	1250		Pond	Plot
3.	1251		Pond	Plot
4.	1653		Pond	Plot
5.	1681		Pond	Plot

3. Above ponds, it is alleged, have been converted into plots, parks and roads in an illegal manner causing damage to environment in utter violation of environmental laws and in collusion with the authorities who have not taken any action in the matter despite information of the said illegality on the part of the developer.

4. From the allegations made in complaint, we are *prima-facie* of the view that a substantial question relating to environment has arisen out of the implementation of enactments mentioned in Schedule -I of NGT Act, 2010.

5. However, for verifying the facts we also find it appropriate to obtain a Factual Report for which we constitute a Joint Committee comprising District Magistrate, Lucknow, Uttar Pollution Central Pollution Control Board (hereinafter referred to as '**UPPCB**') and Central Pollution Control Board (hereinafter referred to as '**CPCB**').

6. Above Committee shall submit Report within one month with Registrar General of this Tribunal.

7. Central Pollution Control Board shall be the Nodal Agency for co-ordination and compliance of this order.

8. Besides other, Committee shall also examine and submit it report on the compliance of conditions of Environmental Clearance, and

consent granted by UPPCB to the said developer under the provisions of Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

9. Further we implead the following as respondents.

- I. State of UP through Additional Chief Secretary/Principal Secretary, Environment Forest and Climate Change, Lucknow
- II. UPPCB through its Member Secretary
- III. Central Pollution Control Board through his Member Secretary
- IV. Lucknow Development Authority through Vice Chairman, Lucknow
- V. District Magistrate, Lucknow
- VI. M/s Omaxe Limited having its Regional Office at Cyber Tower, 2nd Floor, Vibhuti Khand, Gomti Nagar, Lucknow

10. Office shall issue notices to all the respondents to enable them to file their response/replies within three weeks from the date of receipt of notice.

11. List for further consideration on 22.10.2024.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

September 02, 2024
Original Application No.836/2024
M

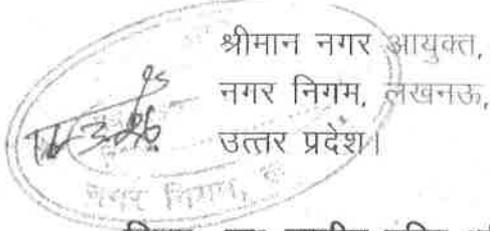
Annexure- 2

RAMNIYA ESTATE DEVELOPERS PRIVATE LIMITED

REGD. OFFICE: 10, L.S.C, KALKAJI, NEW DELHI - 110019

दिनांक: 16 / 03 / 2028

सेवा में,



विषय: मा0 राष्ट्रीय हरित अधिकरण के समक्ष योजित मूल आवेदन संख्या ओ0ए0 836/2024 सरिता द्विवेदी बनाम स्टेट ऑफ यू.पी. व अन्य के सम्बन्ध में।

महोदय,

अवगत कराना है कि मा0 राष्ट्रीय हरित अधिकरण के समक्ष लम्बित उपरोक्त वाद में मा0 न्यायालय में पारित आदेशों के क्रम में योजना के अन्तर्गत खसरा संख्या 1653 एवं 1681 में स्थित तालाबों के पुनर्स्थापना का कार्य नगर निगम लखनऊ के देख-रेख में पूर्ण किया जा चुका है तथा इस सम्बन्ध में आवश्यक शपथ पत्र मा0 न्यायालय के समक्ष योजित किया जा चुका है। इस सम्बन्ध में अग्रतर अवगत कराना है कि उपरोक्त तालाब कभी भी कम्पनी की सम्पत्ति नहीं रहे है तथा शुरु से ही उक्त खसरे एवं उन पर स्थित तालाब पहले राजस्व विभाग तथा नगर निगम सीमा क्षेत्र के अन्तर्गत आने के पश्चात नगर निगम लखनऊ की परिसम्पत्तियाँ है। उक्त खसरा नम्बर कम्पनी को कभी भी हस्तान्तरित नहीं किये गये, यद्यपि की मा0 न्यायालय के आदेशों के क्रम में नगर निगम लखनऊ के अधीन एवं लखनऊ नगर निगम की देख-रेख में पुनर्स्थापना का कार्य किया गया है किन्तु तालाबों की उपरोक्त भूमि के हस्तान्तरण के सम्बन्ध में किसी प्रकार की अन्य कार्यवाही की आवश्यकता हो, तो कृपया अधोहस्ताक्षरी को निर्देशित करने की कृपा करें जिससे की इस सम्बन्ध में आवश्यक अभिलेखीय कार्यवाही पूर्ण की जा सकें। इस सम्बन्ध में यह अवगत कराना भी महत्वपूर्ण है कि ओमेक्स सिटी योजना का विधिवत हस्तान्तरण लखनऊ नगर निगम को पूर्व में ही किया जा चुका है।

महोदय को अग्रतर निर्देशों हेतु सादर प्रेषित।

धन्यवाद।

द्वारा रमनिया एस्टेट प्रा0 लि0

अधिकृत हस्ताक्षरी

RAMNIYA ESTATE DEVELOPERS PRIVATE LIMITED

REGD. OFFICE: 10, L.S.C, KALKAJI, NEW DELHI - 110019

DATE :-16/03/2026

To

The Municipal Commissioner

Lucknow, Uttar Pradesh.

Subject: In respect of Original Application No. OA 836/2024 Sarita Dwivedi vs State of U.P. and others filed before the Hon'ble National Green Tribunal.

Sir,

It is to inform that in the above case pending before Hon'ble National Green Tribunal, in accordance with the orders passed in Hon'ble Court, the work of restoration of ponds situated in Khasra No. 1653 and 1681 under the scheme has been completed under the supervision of Lucknow Municipal Corporation and necessary affidavit in this regard has been filed before Hon'ble Court. In this regard it is further to inform that the above ponds have never been the property of the company and from the very beginning the said Khasra and the ponds situated on them have been the assets of Lucknow Municipal Corporation, first under the Revenue Department and later under the Municipal Corporation boundary area. The above mentioned Khasra numbers were never transferred to the company, although the restoration work has been done under the supervision of Lucknow Municipal Corporation and under the orders of the Hon'ble Court. However, if any further action is required regarding the transfer of the above-mentioned pond land, please instruct the undersigned so that the necessary documentation can be completed in this regard. In this regard, it is also important to inform that the Omaxe City Scheme has already been duly transferred to Lucknow Municipal Corporation.

Respectfully sent to you for further instructions.

Thank you.

By RAMNIYA ESTATE PVT LTD

Sd/-

VAKALATNAMA
BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
 Original Application No. 836 of 2024

IN THE MATTER OF: -
SARITA DWIVEDI

...APPLICANT

Vs.

STATE OF U.P. & ORS

...RESPONDENT

KNOW ALL to whom these present shall come that I, Shyam Sunder, aged about ____ years, office at 7, Local Shopping Centre, Kalkaji, New Delhi-110019, Authorized Representative of the Respondent Company M/s Ramaniya Estate Developers Pvt. Ltd., in the subject matter do hereby appoint:-

Poojash Kumar, Advocate, Counsel for the Respondent no-8.
Off: A-11, Lajpat Nagar-3,
New Delhi, Mob: 8006499678
Enrollment No: D/7398/2020

(hereinafter called the advocate/s) to be my/our Advocate in the above noted case authorise him:-

To act, appear and plead in the above noted case in this Court/Tribunal or in any other Court in which the same may be tried or heard and also in the appellat Court including High Court subject to payment of fees separately for court by me/us.

To sign, file, verify and present pleadings, appeals cross-objections or petition for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary proper for the prosecution of the said in all its stages subjects to payment of fees for each stage.

To file and take back documents, to admit and /or deny the document of opposite party.

To withdraw or compromise the said case or subject to arbitration any differences of disputes that may arise touching or in any manner relating to the said case. To take execution proceedings.

To deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit do so and to sign the power of attorney on our behalf.

And I/We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/ us to all intends and purpose.

And I/We the undersigned do hereby agree to ratify and all acts done by Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes.

And I/We undertake that I/We or my/our duly authorize agent would appear in Court on all hearings and will inform the Advocate for appearance when the case is called.

And I/We undersigned do hereby agree not to hold the advocate of his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate, which he shall receive and retain for himself.

And I/We the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once the fees is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than three years the original fee shall be paid again by me/us.

IN WITNESS WHEREOF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this 13 day of 03, 2026.

(Accepted subject to the terms of the fees)

[Signature]
 Advocate

Advocate

Advocate

Advocate

For Ramniya Estate Developers Pvt. Ltd.

Client(s)

[Signature]

RAMNIYA ESTATE DEVELOPERS PRIVATE LIMITED

Regd Office: 7, Local Shopping Complex, Kalkaji, New Delhi -110019

CIN: U45201DL2004PTC125239

Email Id: secretarial0803@gmail.com, Tel.: +91-11-41893100**REF. NO.: 046/001/300126****CERTIFIED TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING OF BOARD OF DIRECTORS OF THE COMPANY HELD ON 30TH JANUARY, 2026 AT 7 LSC, KALKAJI, NEW DELHI-110019**

"RESOLVED THAT consent of the Board of Directors of the Company, be and is hereby accorded to sign, verification, and filing of all applications, replies, affidavits, and submissions; to defend all actions; to appear in proceedings; and to represent the company in the matter titled 'M/s Sarita Dwivedi V/s. State of Uttar Pradesh & Ors.' before the National Green Tribunal and any other Competent Authority, New Delhi.

RESOLVED FURTHER THAT Mr. Shital Rai and/or Mr. Shyam Sunder, Authorised Representatives of the Company, be and are hereby jointly and/or severally authorized to represent the company before the aforementioned authorities for above legal matter Complaints by/ Against the company and to sign, execute, certify, submit register, amend and re-submit various documents, papers, submissions, applications, petitions, Complaints, certificates, rejoinders, objections, written statements, applications, representations, caveats, affidavits, appeal, review, revisions, undertakings, and to give statement in this regard and to file the same in the above referred Forum/ Commission/ Court/ Authority, to deposit, withdraw and receive documents from the opposite party, either in execution of the decree or otherwise and to sign and deliver for us proper receipts and discharges for the same, to enter into settlement agreement/ compromise deed etc. to make statements in the above referred Forum/ Commission/ Court/ Authority, to appoint and remove advocates, to sign Vakalatnama/ authority letter or other documents and to plead and otherwise conduct the said case and , to appoint Legal counsel and/ or Legal Attorney to represent the Company, to compromise, to withdraw the proceedings and to do all such acts, deeds and things, as may be required in this regard in the best interest of the Company.

RESOLVED FURTHER THAT the aforesaid authorization and/ or this resolution shall be valid, in respect of each of Mr. Shital Rai and/or Mr. Shyam Sunder so long as they remain in the employment of the Company or its Holding, Subsidiary, Associate, or Group Company or any further modification or withdrawal, whichever is earlier."

Certified True Copy**For Ramniya Estate Developers Private Limited**


Shalini Barathi
Director
DIN: 06965510

Date: 19.02.2026
Place: New Delhi