

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

OA NO. 153 OF 2025

IN THE MATTER OF:

Sumitra Saini & Anr.

...APPLICANTS

VERSUS

Delhi Development Authority & Ors.

...RESPONDENTS

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FILED ON: 18/08/25

FILED BY:

(DHRUV TAMTA)

Advocate for the Respondent (DDA)

Chamber No. 331, M.C. Setalvad Bock Supreme Court of India,

Bhagwan Das Road, New Delhi

Mo. 9899989917

Email - tamtaadvocates@outlook.com

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COUNTER AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 1

I, DEEPAK KUMAR, DY. DIRECTOR, aged about 42 years, son of SH. KISHAN CHAND, working as DY. DIRECTOR, Delhi Development Authority, Vikas Sadan, I.N.A. Market, New Delhi, do hereby solemnly affirm and declare as under:

That I am the _____ of the Respondent No. 1 in the above-noted matter and as such, am well conversant with the facts and records of the case and hence competent to swear this affidavit.

1. That the answering Respondent is filing a short affidavit in reply to the Application filed by the Applicant and craves leave of this Tribunal to file a detailed reply if this Tribunal so directs.

That as per the land records maintained by the answering Respondent No. 1, the land parcels pertaining to Khasra No. 2351/20 (0-4) and



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Khasra No. 2352/20 (7-03), located in Village Khirki, have not been acquired for Delhi Development Authority (DDA).

3. That according to a copy of the Khasra Girdawari, the land in Khasra No. 20 (7-17) is recorded as 'Shamlat Deh' land. Furthermore, the possession of the said land has not been handed over to Respondent No. 1 by the concerned Revenue Authority.
4. That a complaint regarding the subject land was received by the office of the answering Respondent from a Mr. Aman Khan. In the said complaint, the land under reference was mentioned as a Municipal Corporation of Delhi (MCD) park, known as 'Nandan Park'. A copy of the said complaint dated 18.04.2025 is annexed herewith and marked as **Annexure A**.
5. That given the subject matter of the complaint pertained to a park allegedly under the jurisdiction of the MCD, the said complaint was duly forwarded to the relevant department of the MCD for further necessary action.
6. That the aforementioned complaint was forwarded vide letter no. 789, dated 23.06.2025. A copy of the said letter no 789 is annexed herewith and marked as **Annexure B**.



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PRAYER

It is therefore most respectfully prayed that this Hon'ble Court/Tribunal may graciously be pleased to take the contents of this affidavit on record and pass such orders as may be deemed fit and proper in the interest of justice.


DEPONENT

उप निदेशक / Dy. Director
भूमि प्रबंधन / Land Management
दक्षिण क्षेत्र/दि.वि.आ./South Zone/DDA

VERIFICATION:

I, the deponent above named, do hereby verify that the contents of my above affidavit are true and correct to my knowledge and belief, based on the official records. No part of it is false and nothing material has been concealed therefrom.

Verified at New Delhi on this 18th day of Aug., 2025.

Identified the deponent/executant
who has signed in my presence.

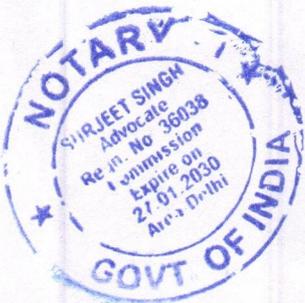

DEPONENT

उप निदेशक / Dy. Director
भूमि प्रबंधन / Land Management
दक्षिण क्षेत्र/दि.वि.आ./South Zone/DDA

CERTIFIED THAT THE DEPONENT
Shri/Smt/Km Deepak Kumar
S/o, W/o, D/o Sh. Kishan Chand R/o DDA, Vikas Sadan
identified by Shri/Smt. ND
has solemnly affirmed before me a Delhi
on 18-08-2025 at Sl Nos 727
that the contents of the affidavit which have been
read over & explained to him/her are true & correct
to his/me knowledge.

Notary Public, Delhi

18 AUG 2025



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ANNEXURE (A)

To,

Dated: 18.04.2025

SHO
Police Station Malviya Nagar,
Delhi

Subject: Urgent Complaint Regarding Illegal Conversion of Nandan MCD Park into Unauthorized Parking Space by Local Residents at Khirki Extension, Malviya Nagar, New Delhi-110017

Respected Sir/Madam,

I, Aman Khan, aged 30 years am an advocate by profession and I hereby submit this urgent complaint regarding a grave and ongoing violation concerning public land under the jurisdiction of the Municipal Corporation of Delhi (MCD).

That the Nandan MCD Park, situated at Khirki Main Road, near Sai Mandir, Khirki Extension, Block J, Khidki Village, Malviya Nagar, New Delhi-110017, has been **intentionally and illegally converted into a vehicle parking area** by certain local residents, with complete disregard for environmental laws and civic norms. The said conversion has taken place gradually over the past few months.

Due to this unlawful encroachment:

- The green cover of the park has been destroyed; trees have been uprooted and grass eliminated.
- Heaps of garbage and stagnant muddy water are present, creating health hazards such as mosquito breeding, with an imminent risk of dengue and malaria outbreaks.
- Ongoing digging and unauthorized alterations are further damaging the land, making restoration increasingly difficult.

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It is essential to highlight that **public parks are meant for the recreation and well-being of the people and are not to be misused for parking or commercial purposes.**

Conversion of parks into parking spaces violates the fundamental right to a clean, healthy, and safe environment, as guaranteed under Article 21 of the Constitution of India.

Green areas are vital to maintain ecological balance, public health, and the overall quality of urban life.

Allowing such misuse not only causes irreversible damage to the environment but also severely impacts the rights of the community to open, clean, and accessible green spaces.

It has been firmly observed that **authorities have a duty to protect, preserve, and enhance parks and public green areas, and any failure to prevent their illegal conversion amounts to gross negligence.**

The present scenario at Nandan MCD Park is therefore a direct and serious violation of the public's rights and environmental norms.

In light of the above, I humbly request the concerned authorities to:

1. Take immediate and stringent action to stop illegal parking and encroachment activities.
2. Prosecute those responsible for unauthorized occupation, damage to public property, and environmental violations.
3. Restore the Nandan MCD Park to its original condition by replanting trees, clearing waste, and securing the area.
4. Identify and hold accountable any officials responsible for allowing such misuse.
5. Implement permanent safeguards (such as fencing and security measures) to prevent future unauthorized use.

I am enclosing photographs evidencing the current deplorable condition of the park.

6

Given the gravity of the situation and the serious public rights involved, **I trust that urgent and appropriate action will be initiated.** In case no action is taken within a reasonable time, I shall be constrained to approach higher environmental and judicial authorities for the protection of public interest.

Thanking you for your attention and cooperation.

Yours faithfully,



Adv. Aman Khan

Applicant

Mobile: 9873814841

Email: aman.f9t@gmail.com

Enclosures:

- Photographs showing the encroachment and damage to Nandan MCD Park

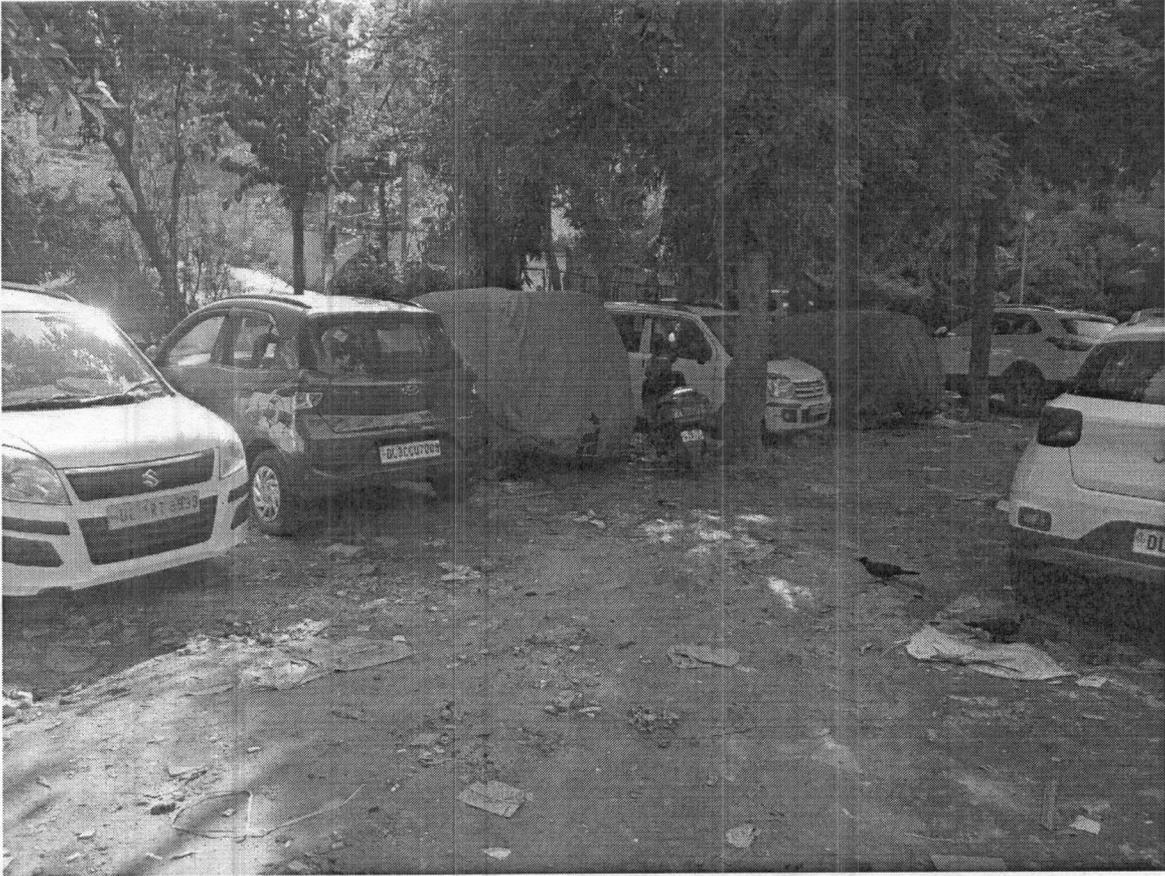
Copy to:

1. Deputy Commissioner of Police (South District), New Delhi
 2. South Delhi Municipal Corporation, New Delhi
 3. Office of the Commissioner, Municipal Corporation of Delhi
 4. Delhi Development Authority
-

PHOTOGRAPHS OF THE NANDAN MCD PARK:



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ANNEXURE (B)

DELHI DEVELOPMENT AUTHORITY
OFFICE OF THE DEPUTY DIRECTOR (LM) SZ
C-BLOCK, GROUND FLOOR, VIKAS SADAN, NEW DELHI-110023

F. No.SZ (391)25/DD/LM/SZ/DDA/ 789

Dated 23/06/2025

To

Deputy Commissioner MCD (South Zone),
Sri Aurobindo Marg, Green Park Extension,
New Delhi, Delhi 110016

**Sub: - Reagrding Illegal conversion of Nandan MCD park into Unauthorized Parking
Space by Local Residents at Khirki Extension, Malviya Nagar, New Delhi-110017.**

Sir,

This is in reference to the complaint of Adv. Aman Khan received in this office,
regarding the mentioned subject. Copy of complaint enclosed herewith.

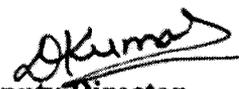
As the complaint is regarding MCD park, the same is being forwarded to your
office for necessary action.

Thanking you.


Deputy Director
Land Management(SZ)-I

Copy to:

1. PS to DLM-I, for kind information.
2. Guard file.


Deputy Director
Land Management(SZ)-I

o/c

DELHI DEVELOPMENT AUTHORITY



POWER OF ATTORNEY

IN THIS COURT OF Before the NG-1, D.O. New Delhi

No. 153 of 2025

Sumita Saini & Ans. in re :- Piff/App./Petitioner/Complainant

VERSUS

DDA & OAS. Defdt. of Resdt.

KNOW ALL to Whom these presents shall come that I/We Deepak Kumar (DD/LM/SZ-1) Delhi Development Authority on behalf of Delhi Development Authority the above named do hereby appoint.

DHURUV TAMTA
Advocate-on-Record
AOR Code 3031

hereinafter called the Advocate(s) to be my/our Advocate(s) in the above noted case and authorise him/them - To act, appear and plead in the above noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Courts.

To sign, file, verify and present pleading, replications, appeals cross-objections, or petitions for executions, revision restoration, withdrawal, compromise or other petitions, replies, objections written statements, affidavits or other documents as may be deemed necessary or proper for the prosecution of the case in all its stages.

To file and take back documents and also withdraw unspent diet money or printing charges that may arise touching or in any manner relating to the said case.

To take out execution proceedings.

To deposit draw and receive : money cheques, and grant receipts therefor 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 authorising him to exercise the Powers and authorities hereby conferred unto the Advocates whenever they think fit to do so and to sign the power of attorney on my/our behalf.

And I/we the undersigned do hereby agreed to ratify and confirm to acts done by the Advocates of their substitutes in the matter as my/our own acts, as if done me/us to all intents and purposes.

And I/we undertake that I/we or my duly authorised agent would appear in the court on all hearings and will inform the Advocates for appearance, when the case is called.

And I/we undersigned to hereby agree to hold the Advocate or their substitutes responsible for the result of the said case in consequence of their absence from the Court when the said case is called up for hearing, or for any negligence of the said Advocates or their substitutes.

And I/we the undersigned do hereby agree that in the event of the whole or any 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 case until the same is paid up.

IN WITNESS WHEREOF I/we do here unto set my/our hand to these present the contents of which have been understood by me/us this day of 20. 18/8/25

Accepted, Advocate(s)

[Signature]

[Signature]

DELHI DEVELOPMENT AUTHORITY Advocate-on-Record for DELHI DEVELOPMENT AUTHORITY

331, M.C. Setalvad Block, Bhagwandas Road, New Delhi- 110001 Ph.: 23070031 M: 9899989917; E: tamtaadvocates@outlook.com

उप निदेशक / Dy. Director
भूमि प्रबंधन / Land Management
पश्चिम क्षेत्र/दि.वि.जा./South Zone/DDA

R/1

01/14/2011

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PROOF OF SERVICE

O.A.153 of 2025 titled Sumitra Saini & Anr. Vs. Delhi Development Authority & Ors."

From dhruv tamta <tamtaadvocates@outlook.com>**Date** Mon 2025-08-18 16:44**To** sahayk@gmail.com <sahayk@gmail.com>; justicecraftattorneys@gmail.com <justicecraftattorneys@gmail.com>; commissioner@mcd.nic.in <commissioner@mcd.nic.in>; ifccdvi@gmail.com <ifccdvi@gmail.com>; specialceo-dm@delhi.gov.in <specialceo-dm@delhi.gov.in>; ceodpgsenv.delhi@nic.in <ceodpgsenv.delhi@nic.in>

1 attachment (12 MB)

COUNTER AFFIDAVIT R1 DDA.pdf;

Sir/Ma'am,

Please find the attached Advance Service of Reply on behalf of Respondent No. 1/DDA in above captioned matter.

regards

Dhruv Tamta

Advocate

+91-9899989917

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