

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

ORIGINAL APPLICATION NO. 622/2024

IN THE MATTER OF:

VARUN GULATI

...APPLICANT

VERSUS

STATE OF HARYANA AND ORS.

...RESPONDENTS

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FILED THROUGH:

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Archana yadav

Shivani chawla

[SIDDHARTH BATRA], [ARCHANA YADAV] [SHIVANI CHAWLA]

Chinmay

Rhythm

[CHINMAY DUBEY] & [RHYTHM KATYAL]

Advocates for Respondent No. 63- M/s Sonu Enterprises

8A, Sagar Apartments, 6-Tilak Marg,

New Delhi-110001.

Mob.: 9888884445

Date: 24.05.2025

Place: New Delhi

E-mail: siddharth.batra@satramdass.com

Phone: 011 4704 6111

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**OBJECTIONS TO THE REPORT OF THE JOINT COMMITTEE ON
BEHALF OF RESPONDENT NO. 63, M/S SONU ENTERPRISES**

MOST RESPECTFULLY SHOWETH:

1. That the present objections are being filed on behalf of M/s Sonu Enterprises, Respondent No. 63, in compliance with the order dated 27.02.2025 passed by this Hon'ble Tribunal wherein the newly impleaded respondents were directed to file their objections to the Joint Committee Report dated 03.01.2025. As per the order dated 08.01.2025, the Answering Respondent has been impleaded as Respondent No. 63 along with other industries based on the Joint Committee Report.
2. That at the outset, it is submitted that the observations recorded in the Joint Committee Report do not fully reflect the compliance status of the answering respondent, and certain findings therein are based on erroneous assumptions, miscalculations, and an outdated compliance assessment.
3. That the answering respondent has undertaken substantial investments in advanced environmental control measures to ensure strict adherence to all applicable environmental norms. The answering respondent denies any

deliberate non-compliance and submits that the alleged deficiencies, if any, were either technical in nature or have already been rectified through corrective measures undertaken post-inspection.

4. **OBJECTIONS TO THE JOINT COMMITTEE REPORT**

- 4.1. That the Answering Respondent submits that an inspection was conducted on 08.08.2024, and certain observations were recorded regarding the operation of its Primary Effluent Treatment Plant (PETP). The Answering Respondent further submits that a Show Cause Notice (SCN) dated 02.01.2025, was issued by the Haryana State Pollution Control Board (HSPCB). The inspection report and the SCN alleges non-compliance on certain grounds, including high reduction in pollution parameters, suspected dilution, and specific water consumption.
- 4.2. That it is submitted that all of the above issues were raised in the Show Cause Notice issued by HSPCB, to which the answering respondent submitted a detailed and reasoned response. The answering respondent duly clarified its position and provided documentary evidence of its compliance to HSPCB. Therefore, the continued reliance on these findings is unjustified and does not accurately reflect the present compliance status of the unit. A copy of the latest detailed and reasoned response to the HSPCB Show Cause Notice along with all the relevant annexures is annexed herewith and marked as **ANNEXURE R-1**.
- 4.3. That the answering respondent categorically denies the allegation of dilution and submits that the effluent generated by the unit is routed to the CETP via a dedicated pipeline after necessary filtration. The inspection report does not establish any direct causal link between the answering respondent's PETP operations and the alleged pollution in Drain No. 6.

The claim of dilution is based on assumption, and the observed reductions in COD/BOD indicate effective treatment, not dilution.

- 4.4. That Joint Committee Report alleges that there is non-compliance due to high reduction in pollution parameters which has been apprehended as dilution with fresh water in PETP among various other allegations. It is submitted that the unit's operations, treatment methods, and effluent characteristics are in accordance with the prescribed norms. Mere reduction in pollutant parameters cannot automatically lead to a presumption of dilution.
- 4.5. That it is submitted that the answering respondent maintains appropriate treatment infrastructure and records. The claim regarding dilution, particularly in relation to BOD and COD reductions, fails to consider the nature of processing activities and the treatment efficiency of the plant. The respondent has already clarified the factual position in its detailed reply to HSPCB and emphasized that its operational records and sampling data support the conclusion that there is no dilution.
- 4.6. That the answering respondent has undertaken extensive compliance measures to align its operations with prescribed environmental norms. These include regular monitoring, timely submission of data to authorities, and strict adherence to approved processes. The PETP is fully operational and monitored as per the prescribed conditions.
- 4.7. That the answering respondent holds a valid Consent to Operate (CTO) issued by HSPCB, which remains in force until 30.09.2029, demonstrating that the facility was found compliant at the time of renewal. The unit also possesses a valid Hazardous Waste Authorization valid up to 30.09.2024 and has applied for renewal of its NOC from the Haryana Water Resources

Authority (HWRA). The unit is also a member of CETP Barhi and all treated effluent is discharged through the designated CETP.

- 4.8. That any adverse order based on the findings of the Joint Committee Report would have severe financial implications and cause significant operational disruptions to the answering respondent. The unit employs a large workforce, and any disruption in operations would negatively impact the livelihoods of numerous employees and their families.
- 4.9. That in view of the above, the answering respondent prays that the findings in the Inspection Report be reconsidered, as they are based on mere assumptions rather than conclusive evidence of dilution. The answering respondent submits that corrective measures are already in place, ensuring ongoing compliance with all applicable environmental laws. Further, given that the CETP's inefficiencies contribute significantly to the overall compliance status, the answering respondent cannot be unfairly categorized as non-complying without a thorough and individualized assessment of its operational processes.
- 4.10. That in light of the foregoing submissions, the answering respondent categorically denies any allegations of non-compliance and submits that the findings of the Joint Committee Report and the subsequent classification of the answering respondent as non-complying are based on assumptions rather than conclusive evidence. The answering respondent has consistently adhered to prescribed environmental norms, holds valid statutory permissions, and has taken proactive measures to ensure compliance.
- 4.11. That in view of the discrepancies in the findings and the absence of a direct causal link between the answering respondent's operations and the alleged

environmental violations, it is most respectfully prayed that the answering respondent be provided with an opportunity to cooperate with the authorities and implement any further recommendations, if necessary.

- 4.12. That the answering respondent remains committed to environmental sustainability, regulatory compliance, and responsible industrial operations and prays for a just and fair assessment of its compliance status.
5. The answering respondent further reserves its right to file additional pleadings or affidavits, if necessary, in response to any subsequent developments in the present proceedings.

FILED THROUGH:



[SIDDHARTH BATRA], [ARCHNA YADAV] [SHIVANI CHAWLA]



[CHINMAY DUBEY] & [RHYTHM KATYAL]

Advocates for Respondent No. 63- M/s Sonu Enterprises
8A, Sagar Apartments, 6-Tilak Marg,
New Delhi-110001.
Mob.: 9888884445

Date: 24.05.2025

Place: New Delhi

E-mail: siddharth.batra@satramdass.com

Phone: 011 4704 6111

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

O.A. No. 622 of 2024

IN THE MATTER OF:

Varun Gulati ...Applicant

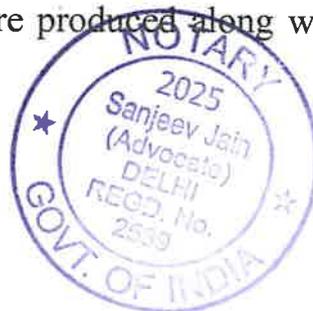
Versus

State of Haryana & Ors. ...Respondents

AFFIDAVIT

I, Rampal Bajarh S/o Gurudas Ram Bajarh aged about 63 years R/o Flat no. 139 1ST Floor Vasudha Apartments, Plot No-41Sec-09 Rohini Delhi. do hereby solemnly affirm and stat as under:

1. That I am the authorized signatory of Respondent No. 63 M/s Sonu Enterprises having its office at Plot No.358, HSIIDC, Barhi District Sonipat 131101 in the aforesaid Original Application, I am aware of the facts and circumstances of the case in my official capacity as stated above and hence, entitled to swear this affidavit.
2. That the accompanying reply has been drafted by my counsel under my instructions, and I say that the statements and submissions made in the said reply are true and correct to best of my knowledge based upon the records and my belief. I pray that the said reply to be treated as part and parcel of this Affidavit and the same is not being reproduced for the sake of brevity.
3. I say that the documents / annexure produced along with the reply are true copies of its originals.



For Sonu ENTERPRISES
[Signature]
Proprietor
DEPONENT

VERIFICATION:

Verified that the contents of the above affidavit are true and correct to the best of my knowledge, belief and nothing material information has been concealed therefrom. No part of it is false.

13 APR 2025

Verified at _____ on this ____ day of

, 2025.

For Sonu ENTERPRISES
[Signature]
Proprietor
DEPONENT



ATTESTED

[Signature]
Notary Public Delhi

13 APR 2025



SONU ENTERPRISES

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Deals in : All Kinds of Garment's Washing
358, HSIIDC, Industrial Area, Phase-1, Barhi, Sonipat (Haryana)

ANNEXURE R-1

Ref. No.

Date

Date: 08.02.2025

WITHOUT PREJUDICE

To,

Regional Officer
Haryana State Pollution Control Board,
Sonipat Region, Sonipat.

Subject: REPLY TO THE SHOW CAUSE NOTICE DATED 02.01.2025.

Respected Sir,

This is in reference to the Show Cause Notice (SCN) No. HSPCB/SR/2025/2642 dated 02.01.2025, issued to M/s Sonu Enterprises, located at [insert address], under Section 33-A, 27, and 43/44 of the Water (Prevention and Control of Pollution) Act, 1974, and Section 21(4) of the Air (Prevention and Control of Pollution) Act, 1981.

The SCN raises specific allegations, which are addressed in detail as follows:

A. BACKGROUND OF THE COMPANY

- a. M/s Sonu Enterprises is engaged in the lawful business of garment washing, operating with a valid Consent to Operate (CTO) issued by the Haryana State Pollution Control Board (HSPCB), valid until 30.09.2029.

For SONU ENTERPRISES

Proprietor

- b. The unit strictly adheres to all prescribed environmental regulations and operates in full compliance with the conditions stipulated under the CTO.
- c. We maintain a Primary Effluent Treatment Plant (PETP) that is fully operational and efficiently processes effluent to meet the prescribed discharge standards before it is directed to the Common Effluent Treatment Plant (CETP). Our effluent treatment system does not involve unauthorized dilution or non-compliant discharge at any stage.

B. RESPONSE TO OBSERVATIONS

1. Allegation Regarding High Freshwater consumption (Para 1 of the Notice)
 - a. That the specific water consumption of 91.60 KL/MT in our unit has been compared with the general industry standard of 80 KL/MT, but such a comparison fails to account for variations in process types, garment quality, and operational factors unique to our unit.
 - b. That our unit specializes in customized garment treatment, intensive washing cycles, and stringent quality control measures, which require a higher degree of water usage compared to conventional operations.
 - c. That all fresh water consumption is duly recorded and monitored, and there is no excess abstraction beyond permitted limits, as verified by our water flow meters and logbooks, which are enclosed as Annexure A.

- d. That **no wastage or unaccounted use of water occurs** in our processes, and our **water conservation measures are in place to optimize usage while ensuring quality output.**
 - e. That **in light of this clarification**, we request the Hon'ble Board to consider the **technical variations in our operations** and recognize that the **water consumption levels are within practical and justified limits.**
2. **Allegation Regarding High Reduction in Pollution Parameters and Suspected Dilution (Para 2 of the Notice)**
- a. That the **allegation regarding dilution with freshwater is based solely on a high percentage reduction of BOD (87.47%) and COD (87.5%)** without considering the **efficiency of our PETP system.**
 - b. That our PETP is **designed for advanced treatment efficiency**, ensuring that high pollutant reduction levels are **achieved through optimized chemical treatment, not dilution.**
 - c. That the assumption of dilution is **scientifically flawed**, as a **high percentage reduction in pollutants is possible with an optimized treatment process.** This is not indicative of dilution but rather a **demonstration of our system's effectiveness.**
 - d. That we **maintain proper records of water abstraction and effluent generation**, including flow meter logs, which show **no unexplained increase in water usage** that would indicate dilution. These records are annexed as **Annexure B.**

- e. That a **fresh laboratory analysis** of our effluent has been conducted from an **NABL-accredited laboratory**, and the test report confirms that our unit is **fully compliant with prescribed discharge standards**. A copy of the report is **attached as Annexure C**.
- f. That **in light of these clarifications**, we respectfully submit that the **allegation of dilution is speculative and not supported by actual evidence**. However, if the Hon'ble Board deems it necessary, we **welcome an independent third-party verification to reaffirm our compliance**.

3. **Para 3 of the Notice**

That **Para 3 of the Show Cause Notice is a repetition of the same allegations in Para 2, regarding BOD and COD reduction levels and suspected dilution**.

C. **RESPONSE TO RECOMMENDATION: DISMANTLING OF DILUTION PROVISION**

- a. **That there is no provision for dilution in our unit, and no arrangement exists for the mixing of fresh water with effluent at any stage of our treatment process.**
- b. **That our treatment system is designed to operate efficiently without requiring dilution, and the observed reduction in pollution parameters is solely due to the effectiveness of our physio-chemical treatment process.**

- c. That our records, including logbooks and test reports, clearly establish that no dilution occurs, and a copy of the relevant operational records is annexed as Annexure D.
- d. That flow meters are installed at key locations, and our water consumption data aligns with the prescribed limits, further proving that dilution is not taking place.
- e. That since there is no provision for dilution, the recommendation to dismantle such a provision is not applicable to our unit, and we request the Hon'ble Board to reconsider this observation.

D. CTO APPROVAL CONTRADICTS ALLEGATIONS OF NON-COMPLIANCE

- a. That Section 27 of the Water (Prevention and Control of Pollution) Act, 1974, states that a Consent to Operate (CTO) cannot be granted to a non-compliant unit.
- b. That our unit's CTO was renewed and remains valid until 30.09.2027, confirming that our facility was found compliant at the time of renewal. A copy of the Consent to Operate from 01.10.2022 to 30.09.2027 issued by Haryana State Pollution Control Board on 25.06.2022 is annexed herewith as Annexure E.
- c. That if non-compliance existed, as alleged, the CTO should not have been renewed, rendering the SCN legally contradictory and untenable.

E. PERMISSION CERTIFICATES FOR GROUNDWATER EXTRACTION FROM HWRA CONFIRM REGULATORY COMPLIANCE

- a. That our unit has a valid Permission Certificate from the Haryana Water Resources Authority (HWRA) for groundwater extraction, which is renewed until 10.06.2025.
- b. That groundwater extraction is regulated and legally approved, and any allegations regarding unauthorized water use are unfounded.

F. **PROCEDURAL DEFECTS IN THE SHOW CAUSE NOTICE**

- a. **Delay in Issuance of SCN:** That the unit was inspected on 07.08.2024, while the Show Cause Notice (SCN) was issued on 16.01.2025, more than five months later. Such an extraordinary delay raises serious doubts about the validity of the findings and undermines the reliability of the observations made during the inspection. Environmental compliance assessments should be conducted in real-time, and such a prolonged delay prevents the unit from effectively addressing observations that may have already been rectified.
- b. **Failure to Provide Accredited Test Reports:** The Environment (Protection) Act, 1986, mandates that industries must be provided with test reports promptly. However, despite the serious nature of the allegations, no accredited test report from the Board's laboratory has been shared with Sonu Enterprises. This denies the unit an opportunity to verify the authenticity of the findings. The failure to provide scientific evidence or third-party verification prevents the unit from independently verifying whether the alleged observations regarding water consumption, dilution, or effluent characteristics are scientifically and procedurally valid.

- c. **Non-Adherence to Regulatory Timelines:** The allegations raised in the SCN are based on theoretical benchmarks rather than on specific evidence of non-compliance. The SCN itself acknowledges that different washing cycles and types of garments impact water consumption, yet the allegations fail to take into account operational variations in different garment washing and processing methods. The five-month delay in issuing the SCN ignores any operational efficiency improvements or corrective measures that the unit may have implemented during this period.
- d. **Failure to Account for Operational Variations:** The SCN does not account for the variation in water consumption due to different types of garments, washing processes, and operational requirements. The benchmark figures relied upon in the SCN are generalized standards, which do not accurately reflect the actual water consumption patterns of the unit. The allegation that the unit is consuming more water than standard values fails to consider factors such as batch processing, fabric type, and machine efficiency, making the comparison flawed and misleading.

G. ABSENCE OF PROPER SAMPLING PROTOCOLS

- I. That the sampling and testing data cited in the Show Cause Notice are disputed on the following legal and procedural grounds:
- a. **Lack of Transparency in Sample Collection:** The SCN does not provide details regarding the exact methodology and protocol followed during sampling. The specific percentage reductions in

BOD and COD have been cited as evidence of dilution, but no explanation has been provided regarding the sample preservation process, dilution factors (if any), and analytical methods used. Without such details, the findings lack scientific credibility.

- b. **Unclear Basis for Allegations:** The SCN claims that the water consumption of 91.60 KL/MT is excessive, compared to a standard value of 80 KL/MT. However, garment washing processes vary significantly, and water consumption is highly dependent on the type of fabric, dyeing intensity, washing requirements, and reprocessing cycles. The unit follows water conservation measures, including effluent recycling, and the allegations fail to consider these operational realities.
- c. **Absence of Accredited Test Reports:** The Environment (Protection) Act, 1986, mandates that industries must be provided with test reports to verify compliance status. However, Sonu Enterprises has not received any NABL-accredited laboratory reports supporting the findings of dilution. The absence of these reports denies the unit the opportunity to cross-verify the alleged deviations, rendering the allegations unsubstantiated.
- d. **Failure to Account for Operational Realities:** The analysis does not distinguish between different operational load conditions, which directly impact effluent characteristics. The unit operates multiple washing cycles, which naturally result in variations in pollutant reduction efficiencies. The reported efficiency of

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pollutant removal is a direct result of optimized treatment techniques, not dilution.

H. WATER CONSUMPTION DATA DOES NOT REFLECT USAGE OF FRESHWATER FOR DILUTION

- a. That a thorough review of our logbooks and recorded water consumption data confirms that our unit has consistently operated within the prescribed freshwater consumption limits.
- b. That the allegation that extra freshwater was added to effluent is based on assumption rather than verified data. Since our total freshwater usage remains within approved limits, the possibility of dilution simply does not arise.
- c. That dilution, by its nature, requires an excess influx of fresh water, which is not reflected in our operational records. Our Effluent Treatment Plant (ETP) functions efficiently through advanced treatment processes rather than any form of dilution.
- d. That in light of this, we request a reconsideration of this observation as it does not accurately reflect the operational reality of our facility.

I. ADVERSE SOCIO-ECONOMIC IMPACT OF ANY COERCIVE ACTION

- a. That the closure of our unit would result in the displacement of numerous employees, many of whom are the sole earners for their families.

- b. That any restrictive action would severely impact production, contractual obligations, and financial sustainability, affecting local suppliers and vendors.
- c. That vendors, suppliers, and ancillary businesses reliant on our operations would suffer significant financial losses, disrupting the local economy.
- d. That the principle of proportionality must be considered before any regulatory action is taken.

J. **OUR REQUEST AND LEGAL POSITION**

In light of the submissions made hereinabove, we respectfully request the following:

- a. **Withdrawal of the Show Cause Notice**, as the allegations raised therein are **unsubstantiated, speculative, and procedurally flawed**. The unit has been operating in full compliance with prescribed norms, as evidenced by valid regulatory approvals and operational data.
- b. **Recognition of our continued compliance efforts**, including:
 - i. **A valid Consent to Operate (CTO) until 30.09.2029**, issued after due verification of compliance.
 - ii. **Operational PETP and effluent treatment mechanisms**, which adhere to prescribed discharge standards.
- c. **Conduct of a fair and independent re-inspection** to verify the actual operational status of our PETP, evaporator, and overall effluent treatment system, rather than relying on assumptions made during prior inspections.

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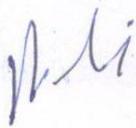
- d. **Facilitation of an independent third-party verification of our effluent treatment process by a NABL-accredited laboratory to eliminate any doubts regarding compliance and ensure an objective evaluation of our environmental performance.**

We reaffirm our commitment to adhering to environmental regulations and assure compliance with all applicable norms. We look forward to your favorable consideration.

Thank you.

Yours faithfully,

For SONU ENTERPRISES



Proprietor

For M/s Sonu Enterprises

[Authorized Signatory]

[address]

VAKALATNAMA

BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 622 OF 2024

IN RE:-

...APPLICANT

VARUN GULATI

VERSUS

STATE OF HARYANA & ORS.

...RESPONDENTS

KNOW ALL to whom these presents shall come that I/We, undersigned the above named do hereby appoint,

**SIDDHARTH BATRA (P/1083/2004), ARCHNA YADAV (D/1837/2020), SHIVANI CHAWLA (D/2233/2019),
CHINMAY DUBEY (D/8141/2021) & RHYTHM KATYAL (D/3528/2022);**

Advocates

Satram Dass B & Co., 8A, Sagar Apartment, 6 Tilak Marg, New Delhi-110001

Mob: 9013082887. Email: vijay.kumar@satramdass.com

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

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 Court including High Court subject to payment of fees separately for each court by me/us.

To sign file, verify and present pleadings, appeals, cross-objections or petitions for executions, review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage. To file and take back documents, to admit and/or deny the documents of opposite party. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. To take execution proceedings. To deposit, draw and receive monthly cheques, cash and grant receipts thereof 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 to 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 intents and proposes. And I/We undertake that I/We or my /our duly authorised agent would appear in Court on all hearings and will inform the Advocate for appearance when the case is called. And I/We the undersigned do hereby agree not to hold the advocate or 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 case until the same is paid up. The fee settled is only for the above case and above Court. I/We hereby agree that once fee 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 3 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 7th day of May, 2025

Accepted, identified and certified subjected to the terms of the fees.

For Sonu ENTERPRISES

Proprietor

Client

SS
[SIDDHARTH BATRA] [ARCHNA YADAV]

Shi chawla Chinmay Rhythm
[SHIVANI CHAWLA] [CHINMAY DUBEY] & [RHYTHM KATYAL]
Advocates



Ravi
3/3/2025

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Archna Yadav <archna.yadav@satramdass.com>

Advance service copy of short reply on behalf of Respondent Nos. 63 in O.A. No. 622/2024 titled as 'Varun Gulati v. State of Haryana & Ors.'

1 message

Archna Yadav <archna.yadav@satramdass.com> Sat, May 24, 2025 at 12:22 PM
To: Mansi Chahal <mansichahal104@gmail.com>, Varun Gulati <jansewajanhit@gmail.com>
Cc: Shivani Chawla <shivani.chawla@satramdass.com>, Vijay Kumar <vijay.kumar@satramdass.com>, Chinmay Dubey <chinmay.dubey@satramdass.com>

Dear Sir/ Madam,

PFA.

Advance service copy of short reply on behalf of Respondent No. 63 in O.A. No. 622/2024 titled as 'Varun Gulati v. State of Haryana & Ors.'

Kindly treat the same as Proof of service.

Kind Regards

Archna Yadav
Senior Associate

Satram Dass B & Co.
8A Sagar Apartment, 6 Tilak Marg, New Delhi 110001, India
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Webex : <https://meet155.webex.com/meet/archnayadav>

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