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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,

FARIDKOT HOUSE, NEW DELHI

O.A. No. 216/2024*In the matter of :***Gaurav Sharma****...Applicant**

versus

Radha Soami Satsang Beas & others**...Respondents****I N D E X**

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Place: New Delhi

Dated: 14.11.2025

Through



Ritesh Khatri Advocate

Cubicle #122, Block D, Addl. Building Complex

Supreme Court of India, New Delhi 110001

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**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
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Versus

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...Respondents

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Most Respectfully Showeth:-

1. That this Hon'ble Tribunal constituted an independent committee vide Interim order dated 07.04.2025 in OA No. 216/2024 headed by Sh. B.M. Bedi, District Judge (Retired), which has been submitted its report by Endorsement letter dated 28.08.2025 on 01.09.2025.

2. That this Hon'ble Tribunal by its order dated 17.10.2025 permitted parties to file their objections to the said report within four weeks.
3. The findings in the report with reference to the issues referred by this Tribunal have not been addressed properly and have serious errors.
4. However, certain findings of the report with reference to time lines of the alleged acts are stated and on the basis of which it is abundantly clear that the subject complaint filed is wholly barred by limitation.
5. The Respondent No.1 submit that it has already submitted an Interlocutory Application for Dismissal of the Complaint as being barred by limitation under section 14(3) of the National Green Tribunal Act, 2010 and the said application is registered in I.A. No.690/2025 and is pending hearing and disposal before this Hon'ble Tribunal.
6. The Tribunal by its interim order dated 7.4.2025 at paragraph 8 mandated the Committee with tasks essentially to ascertain the extent of felling of trees; report the extent of illegal cutting of trees, and to ascertain if Respondent No.2 has taken possession of

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the land in excess to one which has been received in exchange and allotted.

7. With the reference to the first issue while deciding on the same Committee with reference to the time of the alleged incident found as under:

*“that the photographs presented by the applicant / complainant are not Geo tagged and without date and time. Hence, it cannot be verified. The only reliable electronic evidence available with the committee regarding land use change is open source Google Earth imageries across the time lines. Oldest satellite imagery available on Google Earth is of the year 1985, unfortunately this image is not clear. The clear imageries are only available from April 2009 onwards (Annexure-III). From these imageries it can be deciphered that various patches of land have been cleared of natural vegetation **even before 2009 and the land use plan is more or less same since then so far as the vegetation composition is concerned.**”*
(emphasis supplied).

The committee has also stated that it is difficult to quantify the exact number of trees that were felled illegally at this point of time.

8. While the Respondent Nos.1 & 2 emphatically deny any illegal felling of the trees, as is assumed by the Committee in its findings, The Respondents herein crave and reserve liberty to file a more detailed statement of objections against the said report should this Tribunal find that the complaint is maintainable notwithstanding the plea of the Respondents herein that the complaint is barred by limitation.

9. The application cited supra, filed by the Respondents here in seeking for rejection of the complaint as being barred by limitation is all the more fortified with the findings of the Committee as the Committee itself has found that the alleged act of felling of trees according to the Committee has been carried out prior to 2009 and that the land use is largely the same since. Whilst the Respondents deny the finding on felling of the trees which is based on an assumption however even if the said finding is accepted for a moment for the purposes of argument without conceding the same, the time lines found for the same are however nonetheless relevant for deciding upon the Respondent's application seeking for rejection of the complaint as being barred by limitation.

10. In as much as the Respondents' have sought for such rejection for the reasons stated in the said application which is now fortified by the findings afore-stated, it is

submitted that the Respondents have a strong prima facie case to succeed in establishing that the subject complaint is barred by limitation and hence beyond the jurisdiction of this Tribunal.

11. In light of the afore-stated, the filing of any objections to the subject report of the Committee would be premature and the consideration of the said report and objections thereto would amount to a consideration on merit of the allegations made in the complaint, which this Tribunal could only do provided it finds in the first instance that the said application is not barred by limitation and thus entertains jurisdiction to do so, more so, particularly when the application filed on the subject remains pending and the findings of the Committee referred to herein above.

12. In so far as the finding on the extent of land occupied by the Respondent No.2 is concerned, suffice to state that the Committee on this account has categorically found as under:

“Therefore, the allegation of complainant that Respondent No.2 has taken possession of the land in excess to one which has been received in exchange and allotted is not correct.”

13. In light of the said finding, the only limited question that would be required to be considered on merit by this Tribunal would be the allegation of illegal felling of trees.

14. As already submitted the consideration of the same at this juncture would be premature.

Hence, for the reasons afore-stated the Respondents herein submit this limited and preliminary statement of objections to the Report of the Committee and as well as crave and reserve liberty to submit a detailed and a more comprehensive statement of objections to the findings of the said Committee stated in its Report dated 28.08.2025, if so necessary, subsequent to the orders of this Hon'ble Tribunal being passed upon the Respondents application pending hearing and disposal in IA No.690/2025, in the facts and circumstances of the case and in the interests of justice.

Place: New Delhi

Dated: 14.11.2025

Through


AVM D.S. Guram AVSM (Retd.)
Respondent nos. 1 & 2 Joint Secretary
RADHA SOAMI SATSANG BEAS


Ritesh Khatri Advocate

Cubicle #122, Block D, Adml. Building Complex

Supreme Court of India, New Delhi 110001

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AFFIDAVIT IN SUPPORT

I AVM D S Guram AVSM (Retd.) age 80 years, son of late S. Tirath Singh resident of resident of H. No. Q-53, Dera Baba Jaimal Singh, Tehsil Baba Bakala, District Amritsar presently at ^{FBI} ~~New Delhi~~, do hereby solemnly affirm and declare as hereunder

1. I say and submit that being Joint Secretary, Radha Soami Satsang Beas, I am able and competent to depose and swear the present affidavit on behalf of the Respondents No. 1 & 2 (as they are one only). I am fully conversant with the facts and circumstances of the accompanying objections, which is being filed in the pending OA 216 of 2024.

2. That the accompanying Preliminary / Interim Objections to the Report dated 27.08.2025 are being filed by the Respondent No. 1 & 2 through the deponent, and the same has been prepared & drafted under my instructions and at my instance. The contents of the same in paras 1 to 14 thereunder are true and correct to the best of my personal knowledge



and belief. No part of the same is false or wrong. Nothing material has been concealed therefrom.

[Signature]
S. Guram AVSM (Retd.)
DEPONENT
Joint Secretary
RADHA SOAMI SATSANG BEAS

VERIFICATION

I the deponent hereinabove do hereby verify that the contents of the affidavit above from para 1 to 2 are true and correct to best of my knowledge and nothing material has been concealed therefrom. Verified on this 14.11.2025 at Faridabad.

Appointed by P.B. & J., High Court
Oath Commissioner
Faridabad

[Signature]
Ritesh Khatri
Adv.

[Signature]
DEPONENT
AVM D.S. Guram AVSM (Retd.)
Joint Secretary
RADHA SOAMI SATSANG BEAS

Certified that the above was deposited on Oath/affirmation before me on this day of 14/11/2025 by AVM D.S. Guram AVSM (Retd.), who has been identified to me. The contents of the affidavit explained to the deponent.
RAMSH CHAND "NARAYAN" ADV
Oath Commissioner
14/11/2025



Petit Juris <rk@petitjuris.in>

**OA 216 of 2024 - Preliminary Objections to Report Dated
27.08.2025 of Joint Committee - On behalf of Respondent No. 1
& 2**

Petit Juris, Advocates and Legal Consultants

14 November 2025 at 09:18

<rk@petitjuris.in>

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Attached herewith please find the advance copy of the preliminary / Interim objections being filed on behalf of Respondents No. 1 & 2 to the Report dated 27.08.2025 of the Joint Committee in the above captioned matter OA No. 216 of 2024.

Kindly acknowledge the receipt of the same.

Thanks & Regards

Ritesh Khatri

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