

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

(In O.A. 793 of 2022)

With

E.A. 44 of 2025

**Council of Engineers & ors. vs. State of Punjab & ors.**

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Dated: 09-02-2026

Place: Ludhiana

Er. Kapil Dev

(Petitioner No. 1)

Petitioner in Person

[aroraengineers@gmail.com](mailto:aroraengineers@gmail.com)

Mobile: 9872007872

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

In O.A. 793 of 2022

With

E.A. 44 of 2025

Council of Engineers & ors.....

Applicants

Vs.

State of Punjab & ors

.....Respondents

**Rejoinder by Applicant No. 2 regarding final orders dated 29-11-2025  
pleased to be passed by the Hon'ble Punjab & Haryana High court in  
CWP 32564 of 2025 & no compliance of orders of this Hon'ble Tribunal  
done by Respondent No. 3.**

Hon'ble sir

Respectfully Showeth

The Applicant No. 2 humbly submits as under:

1. That during the hearing held on 12-11-2025, the Respondent Municipal Commissioner, Respondent no. 3 has submitted that MCL has filed Civil Writ Petition No. 32564/2025, Municipal Corporation Ludhiana vs. The National Green Tribunal and Anr. before Hon'ble Punjab and Haryana High Court against the orders dated 04-10-2024 of this Hon'ble Green Tribunal,

the hearing of which was scheduled to be held on 29.11.2025. Accordingly the matter was postponed for 18-02-2026.

2. That the Hon'ble Punjab & Haryana High Court vide orders dated 29-11-2025 has pleased to disposed of the CWP 32564/2024 by declining to interfere on merits, without commenting on merits. The copy of the final orders dated 29-11-2025 passed by the Hon'ble High Court is produced herewith as Annexure P-20.

In view of the facts stated hereinabove, it is evident that notwithstanding the disposal of the CWP, Respondent No. 3 has willfully failed to undertake any lawful action for restitution and restoration of the impugned Public Park and Green Belts till date. The repeated and unexplained delays clearly demonstrate deliberate inaction and disregard for the binding directions. The Applicant, therefore, most respectfully prays that this Hon'ble Tribunal be pleased to allow the reliefs sought in E.A. No. 44 of 2025 as well as in the Main Original Application, in the interest of justice, equity, and environmental protection.

Dated: 10-02-2026

Place: Ludhiana



Er. Kapil Dev

(Petitioner No. 2)



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP-32564-2025

Date of decision : 29.11.2025

Municipal Corporation, Ludhiana

.....Petitioner

Versus

The National Green Tribunal and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE  
HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. Ashish Verma, Advocate, for the petitioner.

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**SHEEL NAGU, CHIEF JUSTICE** ( Oral )

1. Municipal Corporation, Ludhiana, is before this Court assailing interlocutory order dated 04.10.2024 (Annexure P-5) passed by National Green Tribunal, Principal Bench, New Delhi, in Original Application No.793/2022, which is to the following effect :-

“1. After some arguments, learned Counsel appearing for Municipal Corporation finds it difficult to justify construction of library in area in question which admittedly falls in category of “city park/major open spaces” in the Master Plan, Ludhiana, copy whereof has been placed on record by applicant on Page 702 and this fact is also admitted by Municipal Corporation, Ludhiana i.e. respondent No.3 in para 5 of their Additional Affidavit dated 02.10.2024.

2. For taking appropriate action and for restoration of park to its original position, he prays for being allowed two weeks’ time to take appropriate steps.

3. List on 05.11.2024.”



2. Petitioner – Corporation is aggrieved by the fact that the library constructed within the area reserved for park cannot be termed as a violation of Master Plan of Ludhiana city.

3. This Court is afraid that once the factual matrix of library violating and restricting Master Plan, Ludhiana, has been adjudicated upon by the National Green Tribunal, this Court cannot re-visit the factual aspect of the matter.

4. Learned counsel for the petitioner submits that application for execution of order dated 04.10.2024 (Annexure P-5), directing restoration of park to its original position, is pending consideration.

5. In this view of the matter, it would be appropriate that the petitioner – Corporation moves National Green Tribunal, as entertaining this petition on merits would not be proper, in view of the limited jurisdiction of this Court while exercising power of judicial review.

5.1 The petitioner can always avail the remedy u/s 22 of the National Green Tribunal Act, 2010, or by re-visiting the National Green Tribunal.

6. With the aforesaid liberty, this Court, declining interference on merits, disposes of the petition, without commenting on merits.

( SHEEL NAGU )  
CHIEF JUSTICE

( SANJIV BERRY )  
JUDGE

November 29, 2025  
narotam

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No

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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH AT NEW DELHI

(In O.A. No. 793 of 2022)

with

E.A. 44 of 2025

IN THE MATTER OF:

COUNCIL OF ENGINEERS & ORS.

APPLICANTS

VERSUS

STATE OF PUNJAB & ORS.

RESPONDENTS

**AFFIDAVIT**

I, Er. Kapil Dev (aged 49 years) s/o Sh. Jagdish Chander, r/o 186-E, BRS Nagar, Ludhiana do solemnly affirms as under:

1. That the deponent is Applicant No. 2 in the O.A. No. 793 of 2022 & E.A. No. 44 of 2025 and has filed this rejoinder for kind consideration by this Hon'ble Tribunal.

2. That I have read the accompanying rejoinder from paragraphs 1 to 2 from pages 1 to 3 and have understood the contents thereof. The facts stated there in are true and correct to the best of my knowledge and nothing has been concealed therefrom.

*Notified that the affidavit has been read over & explained to the deponent executant who seemed directly to understand the same at time making thereof.*

*[Signature]*  
DEPONENT

**VERIFICATION**

Verified at Ludhiana on this 10th day of February 2026, I the above-named deponent, do hereby verify that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed therefrom.



know the Deponent/Executant personally and he/she has Signed/Thumb impression in my presence.

**ATTESTED AS IDENTIFIED**  
*[Signature]* 10-02-2026

NOTARY PUBLIC  
LUDHIANA (P.B.)

*[Signature]*  
DEPONENT

10 FEB 2026

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Kapil Arora <aroraengineers@gmail.com>

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## Service of Documents in O.A. 793 of 2022 & EA 44 of 2025

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**Arora Engineers** <aroraengineers@gmail.com>

Tue, Feb 10, 2026 at 9:15 PM

To: secy.lg@punjab.gov.in, dc.ldh@punjab.gov.in, commissionermdl@gmail.com,  
ldh\_it\_2009@yahoo.co.in, Lodhiclub.ldh@gmail.com, info@sacredheartschoolludhiana.com

Dear sirs,

PFA copy of rejoinder in O.A. 793 of 2022 and EA 44 of 2025 as service of documents

Regards

Er. Kapil Dev  
Applicant No. 2  
O.A. 793 of 2022  
EA 44 of 2025  
Mobile: 9872007872



**Rejoinder by Applicants in O.A. 793 of 2022 and EA 44 of 2025.pdf**

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