

THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH
NEW DELHI

ORIGINAL APPLICATION NO. 153/2025

IN THE MATTER OF:

SUMITRA SAINI & ANR.

PETITIONERS

VERSUS

DELHI DEVELOPMENT AUTHORITY & ORS. RESPONDENTS

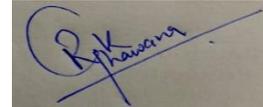
AND IN THE MATTER OF:

1. VIKASH SAINI
2. PANNA LAL
3. ASHWANI SAINI

APPLICANTS

INDEX

S. No.	PARTICULARS	P. No.
1.	Index	1
2.	Rejoinder on behalf of applicants to the reply filed to application under Section 18 of the National Green Tribunal Act, 2010 read with Rule 24 of the National Green Tribunal (Practices and Procedure) 2011 and under Order 1 Rule 10 read with Section 151 CPC for impleadment/intervention along with supporting affidavit.	2-7
3.	Proof of Service	8



(RAJIV KUMAR GHAWANA)
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NEW DELHI
DATED:09.02.2026

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**REJOINDER ON BEHALF OF THE APPLICANTS TO THE
REPLY FILED BY THE ORIGINAL APPLICANTS TO THE
APPLICATION FOR IMPLEADMENT**

MOST RESPECTFULLY SHOWETH:

1. The Applicants are permanent residents of Khirki Village whose families have resided there for generations and have consistently acted as whistleblowers against the encroachment of public land. It is submitted that the Original Applicants, Sumitra Saini and her family, have filed the present OA with unclean hands, deliberately suppressing their own history of illegal occupation and the removal of their encroachments at the behest of the answering applicants. The applicants are not filing parawise rejoinder, and the facts pleaded herein, as well as in the application, may be read as a rejoinder to each paragraph of the reply filed by the original applicants.
2. The present OA is not a genuine attempt to protect the environment but a strategically timed retaliatory litigation. It has been filed to harass the applicants, who successfully moved the authorities to remove the encroachments of the Original Applicants' family members in 2009 and 2016. It is vehemently denied that the Applicants are encroachers. On the contrary, it

is the Original Applicants who have a history of unauthorized occupation on the *Johad* (waterbody) land.

3. The Original Applicants claim to be environmental crusaders; however, revenue and judicial records tell a different story. In 2009, following a complaint by the Applicants (Panna Lal Saini and others), the SDM (Hauz Khas) passed an order dated 30.10.2009 specifically for the removal of encroachments carried out by Jai Singh (husband of Original Applicant No. 1, Sumitra Saini). Jai Singh was found to be illegally occupying the *Johad* (waterbody) land for a timber godown and a commercial dhobi platform. The present OA is a malicious attempt to deflect from these documented facts.
4. A pivotal ulterior motive behind this OA is the Original Applicants' attempt to invalidate the final demarcation report of 2016. and seeking a "backdoor" validation of a flawed demarcation report of 2022(which is already under challenge before the Hon'ble Delhi High Court).
 - i. The Applicants had challenged an earlier irregular demarcation (2015) before the District Magistrate.
 - ii. Subsequently, a fresh demarcation was conducted, resulting in the Report dated 23.07.2016, which was upheld by the District Magistrate on 11.07.2017.
 - iii. Sumitra Saini challenged this report before the Financial Commissioner and the Hon'ble Delhi High Court, but her challenges were rejected. By filing the present OA, the Original Applicants seek to resurrect these dead claims and obtain a fresh demarcation to suit their personal interests, effectively committing "forum shopping".

5. The Original Applicants have concealed several material facts to mislead this Hon'ble Tribunal:
 - i. They failed to mention that they were impleaded as parties in CS SCJ 82511/2016 (Hari Singh Saini Vs. DDA), where the validity of the *Johad* boundaries was already under adjudication.
 - ii. The Original Applicants rely on an RTI reply from 2011 to allege encroachment by others, while deliberately hiding that the "encroachments" mentioned in that very period included their own family members.
 - iii. On 01.10.2012, a police complaint was lodged against Sanjeev Saini and Sandeep Saini (sons of Sumitra Saini) for blackmailing and threats, illustrating a pattern of using complaints as a tool for intimidation.
6. The Original Applicants allege that the answering Applicants are violating a status quo order from the High Court in W.P.(C) No. 11400/2022. This is a complete inversion of facts. The applicants filed that Writ Petition to protect the land from illegal actions prompted by "certain political leaders" at the instance of the Original Applicants. It is the Original Applicants who are attempting to use the NGT to circumvent the High Court's stay order.
7. Further, when the Municipal Corporation attempted to clean the *Johad* (Khasra No. 20) by removing debris, Sumitra Saini and her family members abused and obstructed the officials. A complaint dated 07.04.2016 by Panna Lal Saini highlights that after the authorities cleared the debris, the Original Applicants' family immediately began re-dumping garbage to re-occupy the land. Their sudden concern about the waterbody in 2025 is

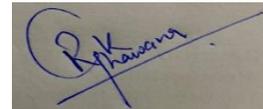
nothing but a legal façade to harass the applicants and cause them harm.

8. The Original Applicants are relying on status reports from W.P. (C) No. 3538/2025 and W.P. (C) No. 11400/2022 out of context to create a prejudicial narrative against the Proposed Applicants. These matters are independent and do not negate the applicants right to be heard in the present OA.
9. Under Order 1 Rule 10 CPC, the Applicants are indispensable. Since the Original Applicants have specifically named "Panna Lal Saini and family" as encroachers in their OA, the answering Applicants have a legal right to defend their reputation and property rights.
10. With multiple litigations pending in the High Court and Civil Courts regarding the same Khasra No. 20, the presence of the Applicants is required to prevent this Tribunal from passing orders that might conflict with existing High Court status quo orders.
11. While the Hon'ble NGT is a forum for environmental protection, it cannot be used to facilitate a private feud. The Applicants possess historical revenue records and judicial decrees dating back to 1944 and 1965 that prove their family has been the actual protector of the *Johad* against the Original Applicants' family.
12. The contention that the Applicants have no *locus standi* is legally untenable. As residents whose rights are directly affected by the outcome of any demarcation or revival order, and as the parties responsible for the initial removal of encroachments, they are both necessary and proper parties under Order 1 Rule 10 of the CPC. Their presence is essential for a just and complete adjudication of the matter to ensure the

Tribunal is not misled by the selective presentation of facts by the Original Applicants.

In light of the above, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to allow the application for impleadment and implead the applicants as Respondents in the present OA.

It is prayed accordingly.



(RAJIV KUMAR GHAWANA)
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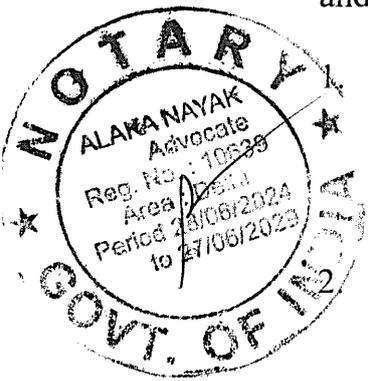
RESPONDENTS

AFFIDAVIT

I, Vikash Saini S/o Sh. Amar Singh Saini, aged about 53 years R/o 156, Khirki Village, New Delhi-110017 do hereby solemnly affirm and declare as under:

That I am applicant in the above mentioned IA and well conversant with the facts and circumstances of the present case/application and competent to swear the present affidavit

That the accompanying rejoinder has been drafted by my Counsel under my instructions and the contents of the same are true and correct to the best of knowledge.



Asstid
I identified the deponent who has signed in my presence

Vikash Saini

DEPONENT

VERIFICATION:

09 FEB 2026

Verified at New Delhi on this _____ day of February 2026, that the contents of the above affidavit are true and correct to my knowledge. No part of it is false and nothing material has been concealed therefrom.

09 FEB 2026
I have verified that the deponent who has signed in my presence is a competent person and that the contents of the affidavit are true and correct to the best of my knowledge.
Vikash Saini
Notary Public

Vikash Saini

DEPONENT

433

Rejoinder in Sumitra Saini NGT Matter

1 message

GOPAL LAKHCHAURA <gopallakhchaura@gmail.com>

Tue, Feb 10, 2026 at 11:52 AM

To: "justicecraftattorneys@gmail.com" <justicecraftattorneys@gmail.com>

Sir,

Please find attached herewith Copy of Rejoinder in OA 153/2025 Sumita Saini Vs DDA matter and we are filing on behalf of the applicants.

Thanks

Rajiv Kumar Ghawana
Advocate

**Rejoinder in Sumitra Saini NGT.pdf**

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