

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

(In M.A. 3 of 2025 with E.A No. 43 of 2025)

(in Disposed of O.A. No. 209 of 2023)

Kapil Dev & anr. Vs. Municipal Commissioner & ors.

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Er. Kapil Dev

(Petitioner No. 1)

Petitioner in Person

aroraengineers@gmail.com

Mobile: 9872007872

Dated: 09-02-2026

Place: Ludhiana

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

(In M.A. 3 of 2025 with E.A No. 43 of 2025)

(in Disposed of O.A. No. 209 of 2023)

Kapil Dev & anr. Applicants

Vs.

Municipal Commissioner & ors Respondents

Rejoinder by Applicant No. 1 depicting deliberate non-compliance of orders of this Hon'ble Tribunal by Municipal Commissioner of Ludhiana repeatedly resulting in major damage to Environment due to illegal encroachment as well as illegal commercial activities in Greenbelts.

Hon'ble sir

Respectfully Showeth

The Applicant No. 1 humbly submits as under:

1. That after directions of restitution of Greenbelts' in O.A. 209 of 2023, this Hon'ble Tribunal wide orders dated 17-02-2025 was pleased to direct the Respondent No. 1 to comply with the orders of O.A. 209 of 2023 and vide orders dated 23-09-2025, pleased to direct the Respondent No. 1 to file the compliance report dated 31-10-2025 in E.A. No. 43 of 2025.
2. That after going through the report dated 31-10-2025 in E.A. No. 43 of 2025 & present status of impugned two locations, it is clear that the Respondent No. 1 is deliberately &

intentionally not complying with the orders of this Hon'ble Tribunal again and again and besides other encroachments, MCL itself still has encroached upon greenbelt area by deliberately defying the orders of this Hon'ble Tribunal by not removing the remains of Scrap yard Building and scrap laying over it. It is pertinent to humbly submit here that the two impugned locations is still being used for parking of heavy machinery used in construction activities and commercial activities By such act of non-compliance of orders of this Hon'ble Tribunal, Respondent No. 1 the Municipal Commissioner & concerned officials of MCL are liable to prosecuted and punished under section 28 of NGT Act 2010. The impugned existing encroachments as on date are produced as under:

SCRAP YARD OF MCL:

Despite directions for compliance report by this Hon'ble Tribunal, the respondent No. 1 MCL itself has still encroached upon greenbelt area by deliberately defying the orders of this Hon'ble Tribunal by not removing the remains of Scrap yard Building and scrap laying over it. It is pertinent to humbly submit here that the impugned location is still being used for parking of heavy machinery used in construction activities. **Three photographs clicked on 09-02-2026 depicting the same are produced herewith as Annexure PM-14.**

WINE SHOP BUILDING:

Wine Shop building: The building is still being used for commercial activities and two doors of this building have never been closed by MCL. One Photograph clicked on 09-02-2026 depicting wine shop operational and non-compliance of orders of this Hon'ble Tribunal by Respondent No. 1 is produced herewith as **Annexure PX-15.**

Keeping in view of directions dated 04-07-2024 of this Hon'ble Tribunal in O.A. 209 of 2023 as well as orders in MA 3 of 2025, Environment laws, incorrect report submitted by MCL &, present status of impugned locations comprising of impugned encroachments over greenbelt area, non-compliance of orders of this Hon'ble Tribunal by the Municipal

Commissioner, it is clear that Respondent No. 1 has repeatedly failed to comply with the orders dated 04-07-2024 of this Hon'ble Tribunal, thus liable to be prosecuted under section 28 of NGT Act 2010. The Applicant humbly prays the Hon'ble Tribunal Court to take action against the Municipal Commissioner of Ludhiana & other officials as per the provisions of Environment Protection Act and NGT Act 2010.



Er. Kapil Dev

(Petitioner No. 1)

Dated: 09-02-2026

Place: Ludhiana

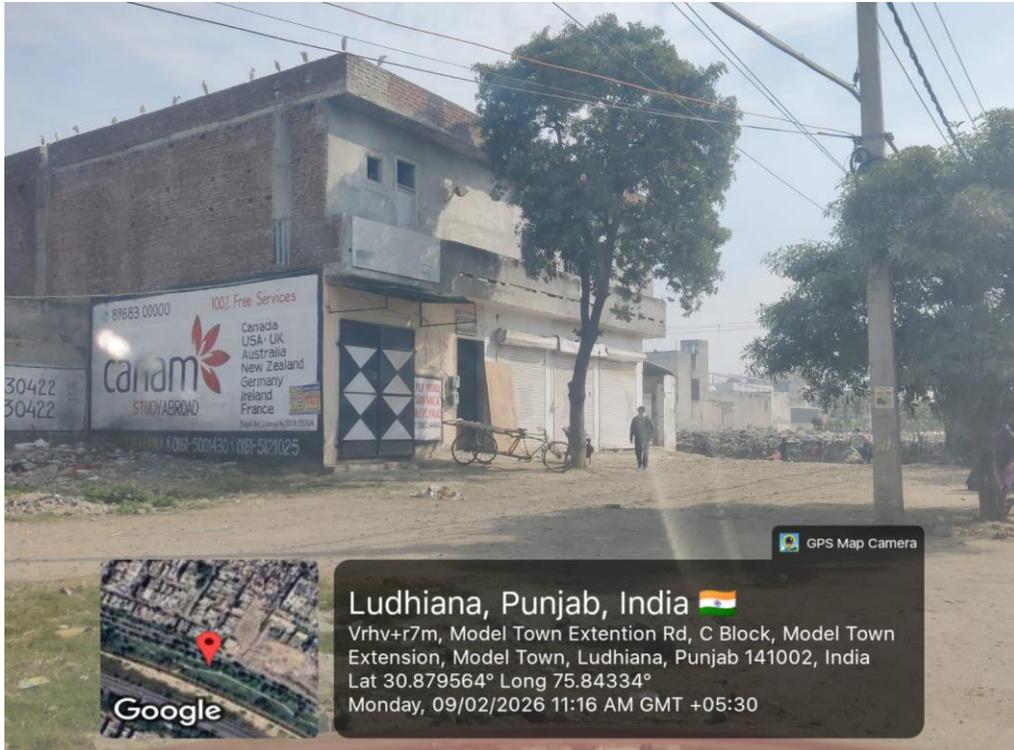
**ANNEXURE PM-14
PRESENT STATUS OF SCRAP YARD AS ON 09-02-2025 – GREENBELT STILL ENCROACHED
BY MCL ITSELF DESPITE ORDERS OF RESTITUTION OF GREENBELT BY THIS HON'BLE
TRIBUNAL:**





ANNEXURE PM-15

WINE SHOP BUILDING STILL BEING USED FOR COMMERCIAL ACTIVITIES



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

(In M.A. No. 3 of 2025)

in

disposed of O.A. No. 209 of 2023

IN THE MATTER OF:

KAPIL DEV & ANR.

APPLICANTS

VERSUS

MUNICIPAL COMMISSIONER & 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. 1 in the M.A. No. 3 of 2025 and has filed this rejoinder for kind consideration by this Hon'ble Tribunal.



That I have read the accompanying rejoinder from paragraphs 1 to 2 from pages 1 to 7 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 there from.

Certified that the affidavit has SPA/GPA has been readover & explained to the deponent executant who seemed directly to understand the same at time making the affidavit.

[Signature]
DEPONENT

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09-02-2026

Verified at Ludhiana on this 9th 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 there from.

[Signature]
DEPONENT

Know the Deponent/Executants personally and he/she has Signed/Thumb impression in my presence

ATTESTED AS IDENTIFIED

[Signature] 09-02-2026

NOTARY PUBLIC
LUDHIANA (PB.)

09 FEB 2026



Kapil Arora <aroraengineers@gmail.com>

Service of document - Rejoinder in in MA 3 of 2025 & EA 43 of 2025

Arora Engineers <aroraengineers@gmail.com>
To: commissioner_mcl@gmail.com, dc.ldh@punjab.gov.in

Mon, Feb 9, 2026 at 4:26 PM

Dear sir

PFA common Rejoinder in MA 3 of 2025 & EA 43 of 2025 (in disposed of O.A. 209 of 2025) as service of documents.

Please acknowledge the receipt of the same.

Regards

Er. Kapil Dev
Applicant No. 1
MA 3 of 2025
with
EA 43 of 2025
M: 9872007872



Rejoinder in MA 3 of 2025 with EA 43 of 2025 by Applicants.pdf
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