

IN THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH, FARIDKOT
HOUSE, COPERNICUS MARG, NEW DELHI

Original application No. 43 of 2025

(Under section 14 r/w section 15 and 16(1) & (2) of the National Green Tribunal Act 2010)

In the matter of :-

Dushyant Rohta

-----Applicant

Versus

State of Uttar Pradesh & Ors.

-----Respondents

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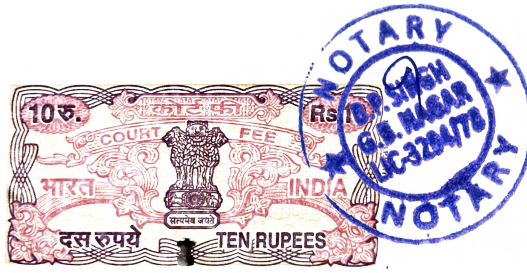
Date 14-07- 2026

New Delhi

Amir

Applicant through counsel

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**REJOINDER AFFIDAVIT ON BEHALF OF THE APPLICANT TO THE
COUNTER AFFIDAVIT OF RESPONDENTS**

I, Dushyant Rohta(social worker), president of Jan Kalyan welfare Society, Meerut, R/o Gagan Vihar Rohta Road, Meerut, Uttar Pradesh, Ph: 9837572425, the deponent and the above stated application do hereby solemnly affirm and declare as under:-

1. That it is the admitted fact by the Respondent No. 2 in *para 6* of its counter affidavit dated 07-05-2025 that an unauthorised construction in the form of culvert exist on the water body that is Pathanpura Drain at Km 3.130, the private colonisers has constructed the said culvert in the year 2024 to facilitate entry/exit into the colony.
2. That the Respondent No. 2 further admitted the fact of encroachment on water body in *para 7* of its counter affidavit dated 07-05-2025, that at Km 26.855 of the Rajwaha Chap Salawa, a culvert has been constructed by the said private colonizers in the year 2024 to facilitate entry/exit into the colony.
3. That it has been further admitted by the Respondent No. 2, the demolition steps have been taken to demolish the above stated culverts by the Respondents No. 2 and it is further crystal clear that the jurisdiction to demolish the unauthorised construction in the form of culverts on the water bodies is with Respondent No. 2.
4. That it is also an admit fact that as Respondent No. 2, requested to Station House Officer, Police Station, Kankarkhera for registration of FIR and further demanded police force to execute the demolition drive. Respondents 8 to 11 resisted every time the process of demolition forcefully.



5. That in *para 8* of the counter affidavit submitted by respondent 8 to 11, the respondents stated that the culvert exist over the water drain since long back, and this was used by the villagers to cross from their farms to the road, the said culvert is not constructed by the answering respondent and the submission is in contravention of the submission by the Respondent No. 2 which states that these colonisers has constructed the culverts. If Respondents 8 to 11 have nothing to do with these unauthorised culverts then what is the reason the Respondents 8 to 11 are resisting the demolition drive.
6. That in *para 11* of the counter Affidavit of Respondents 8 to 11 stated that in Civil Suit No. 643 of 2024 Ld. Civil Judge, Junior Division, Meerut directed the to maintain *status quo* and the order dated 10-09-2024 passed by the court has been annexed as Annexure R-3, on perusal of the order this fact came into knowledge that this order has been passed against the defendant in this suit named Sonu Bhadana and the court has directed this defendant only to maintain *status quo*, it has been stated in the order that the plaintiff and defendant in the suit have enmity and the defendant wants the demolition of this culvert, the issue is entirely different from present case. The suit has been plaintiff with connivance of the defendant to obtain order of *status quo* applying on the parties to the suit only.
7. That the court of Ld. Civil Judge Junior Division, Meerut never directed the Respondent No. 2 in the present Original Application to maintain *status quo* and further the Respondent No. 2 has jurisdiction to demolish the same. It seems fake issue has been created in the case as stated at *para 6* above for purpose of misleading the Respondent No. 2, this Hon'ble Tribunal and to obtain the stay order without impleading the Respondent No. 2 as party to the Civil Suit.
8. That it has been stated in *para 13* of the counter affidavit by Respondent No. 8 to 11 that the Hon'ble High Court vide its order dated 29-10-2025 in *Writ Petition(Civil) No. WRIC/37092/2025* in the matter of *Pawan Kumar Sabiki and 8 Others v. State of Uttar Pradesh & 6 Others*, has directed not to take coercive steps in pursuance to the notices impugned there in and the Honourable Allahabad High Court further directed the District Magistrate to constitute a High-Power Committee consisting of officials of the Authority and Municipal Corporation.
9. That on perusal of the order dated 29-10-2025 this fact came into knowledge that the Honourable High Court directed in *para 8* of the order that respondents are restrained to take any coercive of measures **against the petitioners**, pursuant to the impugned notices **till next date of listing and not the next date of hearing**. The Honourable High Court **fixed the next date of listing 27-11-2025** and therefore direction not to take course measures was limited



to this date only. **Presently after 27-11-2025, there is no bar to take coercive steps in pursuance of the notices issued by Respondent No. 2.**

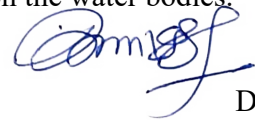
10. That the Honourable High Court directed District Magistrate, Meerut to constitute a High-Power Committee, consisting of officials of Authority, Municipality as well as the Revenue Officials who shall make a spot inspection **and submit a report in this regard to this court by the next date** through Additional Chief Standing Counsel. The next date of hearing was fixed that is 27-11-2025, but the District Magistrate, Meerut in violation and severe disobedience of the order **did not constitute the high-power committee and further no such report was submitted on the date fixed.** It is more embarrassing that **this matter was further listed before the Hon'ble High Court on next 23 dates and still on these dates neither the High-Power Committee has been constituted nor report in this regard has been submitted to the Honourable High Court.** The copy online status of Hon'ble High Court proceedings are annexed herewith as **Annexure- RA/1**
11. That the Respondent No. 5 was the impleaded as party before the Hon'ble High Court, on perusal of the order this fact came into knowledge that the counsel for the Respondent submitted as stated in *para 4* of the order dated 29-10-2025, **the culvert has not been made on the basis of approved lay out/map and as such the same is liable to be demolished** and further submitted in *para 5* that the **impugned notices have been issued strictly in accordance with law, and there is no infirmity in them.**
12. That the petitioners in the Writ Petition are not the stakeholders in colony developed by the Respondents 8 to 11, do not have any *locus standi* to file the Writ Petition before the court, the petitioners in the Writ Petition are the people hand in glove with the Respondents 8 to 11, these have been managed to file writ petition against Respondents 8 to 11 to obtain order of *status quo* from Hon'ble High Court against themselves, but ultimately the order of *syatus quo* will work against the demolition drive, same efforts have been made earlier by the Respondents 8 to 11 to obtain order of *status quo* from the court Ld. Civil Judge, Junior Divison, Meerut.
13. That the respondent 8 to 11 know that the Hon'ble Bench which is hearing the matter in Allahabad High Court is the special bench to hear the matters of land acquisition and development authorities and due to heavy load of cases, it is very difficult that the present matter will never reach for hearing unless and until mentioned specifically by the petitioners, petitioners are managed they will never mention and will not file contempt application for violation and severe disobedience of the order passed by Hon'ble High Court and therefore if you the *status quo* order if granted by the court will work forever. But in the present case



A handwritten signature in blue ink, appearing to be 'Amish' followed by a stylized flourish.

Honourable High Court directed not to take coercive measures pursuant to notices **till next date of listing only and not the next date of hearing and therefore there is no bar to take coercive in pursuance to the notices issued by the Respondent No. 2 after 27-11-2025.**

14. That in *para* 8 of the order passed by the Honourable High Court, it has been instructed that not to take any coercive measures against the petitioners, and those petitioners have not been impleaded as parties to the present original application, rather it has been filed against the respondents impleaded hereby only.
15. That this Honourable Tribunal may pass an order directing District Magistrate, Meerut to submit its report prepared by the High-Power Committee, constituting the official of Authority, Municipality and Revenue Officials, which will further crystal clear and strengthen the that the culverts are unauthorised construction on the water bodies.



Deponent

Verification,

Verified at Dadri Gautam Budh Nagar, Uttar Pradesh on 14-07-2026 that the contents of my above stated affidavit are true and correct to the best of my knowledge and as per the information received from the official Record.



Deponent



ATTESTED

Brij Pal Singh
Advocate Notary
Distt. G.B. Nagar

14 JUL 2026

Annexure-RA/1

High Court of Judicature at Allahabad

PENDING

Case Status - WRIT - C (WRIC)-[37092/2025]

[Diary/Token No.: 232199102025]

Generated on : 16-07-2026 at 08:12:28 am

Filing No.	CIVIL12/235873/2025	Filing Date : 16-10-2025
CNR	UPHC055695922025	Date of Registration : 24-10-2025

Case Status

First Hearing Date	29th October 2025
Next Hearing Date	
Coram	
Bench Type	Division Bench
Causelist Type	Fresh List
State	UTTARPRADESH
District	MEERUT

Petitioner/Respondent and their Advocate(s)

Petitioner	Respondent
1. PAWAN KUMAR SABIKI AND 8 OTHERS 2. MAYANK RASTOGI 3. APAR AGARWAL 4. RISHAB AGARWAL 5. SAROJBALA 6. TANMAY SINGHAL 7. MADHU TUTEJA 8. PIYUSH KUMAR 9. JYOTI RASTOGI Advocate - GAURANG DWIVEDI(A/G0355/2021)	1. STATE OF UTTAR PRADESH AND 6 OTHERS 2. STATE OF UTTAR PRADESH 3. EXECUTIVE ENGINEER, MEERUT DIVISION GANGA CANAL 4. ASSISTANT ENGINEER, VITH, MEERUT DIVISION GANGA CANAL 5. MEERUT DEVELOPMENT AUTHORITY, MEERUT 6. M/S PRASANDI BIOTECH PARK PVT. LTD. 7. M/S S.R.R. BUILDCON CHANDRA ESTATE, ROHTA ROAD Advocate - C.S.C.(CSC/2012),SHIV PRAKASH GUPTA(A/S0136/2020)

Category Details

Category	DEVELOPMENT AUTHORITY (340700)
Sub Category	Miscellaneous (340790)

IA Details

Application(s) Number	Party	Date of Filing	Next / Disposal Date	IA Status
IA/1/2025 Classification :Stay Application	PAWAN KUMAR SABIKI AND 8 OTHERS Vs STATE OF UTTAR PRADESH AND 6 OTHERS Applied by (Advocate) :GAURANG DWIVEDI	24-10-2025		Pending

Listing History

Cause List Type	Hon'ble Mr./Ms./Dr. Justice \ In chamber of Registrar(s)/Jt. Registrar(s)	Hon'ble Court/Serial No.	Listing Date	Short Order
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:39	14-07-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:73	07-07-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:87	29-05-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:77	21-05-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:83	14-05-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:69	07-05-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:118	30-04-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:90	23-04-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE PRASHANT KUMAR	Ct.:21 , Sl.:81	16-04-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:85	08-04-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:79	01-04-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:91	25-03-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:123	18-03-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:121	11-03-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:119	25-02-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:145	18-02-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:103	11-02-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:97	04-02-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:86	28-01-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:21 , Sl.:134	19-01-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:29 , Sl.:99	09-01-2026	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:29 , Sl.:132	19-12-2025	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:29 , Sl.:150	12-12-2025	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:29 , Sl.:66	27-11-2025	PO
Fresh List	HON'BLE JUSTICE MAHESH CHANDRA TRIPATHI HON'BLE JUSTICE KUNAL RAVI SINGH	Ct.:29 , Sl.:46	29-10-2025	Date Fixed

Order/Judgement

#	Date	Order/Judgement	Combined Order/Judgment Sheet
1	29-10-2025	view	view



Satyabeer Singh <sbsinghcounsel@gmail.com>

Rejoinder Affidavit on behalf of Applicant in OA/43/2025, Dushyant Rohta v. State of UP & Ors.

1 message

Satyabeer Singh <sbsinghcounsel@gmail.com>

Thu, Jul 16, 2026 at 10:10 AM

To: bhanwar09jadon@gmsil.com, dmmee@nic.in, nnmee@nic.in, rachit@rmlawchambers.in, sspmrt-up@nic.in, romuzaffarnagar@uppcb.in, pradeepmisra@yahoo.com, gaurav@grvlegal.in

Rejoinder Affidavit on behalf of Applicant in OA/43/2025, Dushyant Rohta v. State of UP & Ors.
kindly find the attachment

**Rejoinder by Dushyant Rohta.pdf**

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