

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
IA NO. 773/2025
IN
ORIGINAL APPLICATION NO. 639/2022**

IN THE MATTER OF:

Pritipal Sharma

...Applicant

Versus

Govt. of NCT of Delhi & Ors.

...Respondents

I N D E X

| <u>Si. No.</u> | <u>Particulars</u> | <u>Page No.</u> |
|-----------------------|--|------------------------|
| 1. | Reply Affidavit on behalf of Respondent No. 10, DCF, South, GNCTD | 1-5 |

FILED BY:

NEW DELHI

DATED: 15.01.2026


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BEFORE THE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****I. A. No. 773/2025****IN****Original Application no. 639/2022****IN THE MATTER OF:**

PRITIPAL SHARMA

...APPLICANT

VERSUS

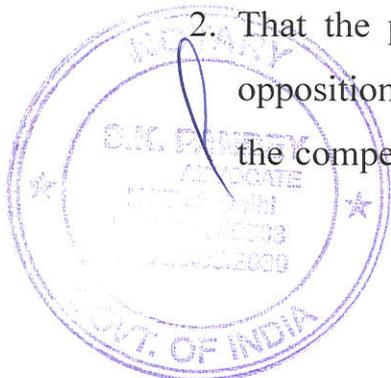
GOVT. OF NCT OF DELHI & ORS.

...RESPONDENTS

REPLYAFFIDAVIT ON BEHALF OF RESPONDENT NO. 10 I.E.,**DEPUTY CONSERVATOR OF FOREST (SOUTH).**

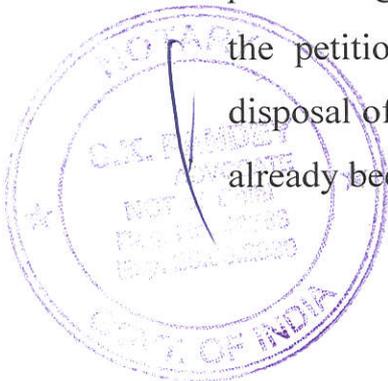
I, Ankit Kumar S/o Sh. Anil Kumar, aged about 39 years, presently posted as Deputy Conservator of Forest (South), having office at Department of Forest & Wildlife, Government of National Capital of Delhi, (hereinafter referred to as the 'answering Respondent')and do hereby solemnly affirm and declare as under:

1. That I am currently holding the post of Dy. Conservator of Forest (South) and am competent to depose by way of the present affidavit on behalf of the answering Respondent based on knowledge derived from the records available and/or accessible to me.
2. That the present reply is being filed by the answering Respondent in opposition to I.A. No. 773/2025 seeking stay of statutory action taken by the competent authorities in respect of notified forest / ridge land. At the

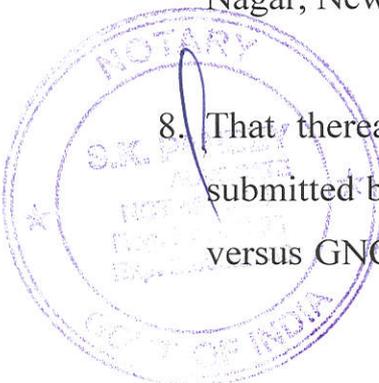


outset, it is submitted that the stay application is misconceived, devoid of jurisdictional foundation, and liable to be dismissed.

3. That it is submitted that the applicants are persons claiming possession over land which stands notified as reserved forest / ridge land under statutory notifications. Any such occupation is unauthorized and does not confer any legal or equitable right capable of protection by way of interim stay.
4. That it is pertinent to mention here that the applicants had earlier approached the Hon'ble High Court of Delhi by way of writ petition bearing no. *W.P.(C) no. 3086/2024* titled as "*Adarsh Enclave Residents Welfare Association (Regd.) versus GNCTD*". The Hon'ble High Court of Delhi vide order dated 29.02.2024 disposed of the said petition with a direction to the answering respondent / Deputy Conservator of Forest (South) to decide the representation of the petitioners therein with respect to the property within 6 weeks after receiving the said representation. Further, after considering the submissions made by the parties, the Court had noted that the notice was issued by the answering respondent in respect of Khasra nos. 1978, 1979, 1980, 1981, and 1982 of Revenue Estate of Village Aya Nagar. Further directed the answering respondent not to take any coercive actions against the property in question until the representation of the petitioners therein is decided. It is respectfully submitted that the Hon'ble High Court did not stay any statutory proceedings, nor did it recognize any right, title or lawful possession of the petitioners. The limited protection granted stood exhausted upon disposal of the representation. The copy of the order dated 29.02.2024 has already been placed on record.



5. That it is submitted that on 05.04.2024, the answering Respondent received a short representation by Adarsh Enclave Residents Welfare Association (Regd.) to which the answering Respondent directed the Adarsh Enclave Residents Welfare Association (Regd.) to file a detailed representation, however, the same is not filed till date.
6. It is pertinent to mention here that the said representation was decided vide order dated 26.05.2025 by the answering respondent i.e., the DCF(S) and Adarsh Enclave Residents Welfare Association (Regd.) was directed that if they had an issue with respect to the demarcation of the land in question then DCF(S) / Forest Department is not the competent authority for demarcation of a land. Also, it was noted that the said RWA pleaded that they are the owners in possession of the land in question. However, the same cannot be accepted over the encroached government land. Further as per revenue records, the land in question are identified as Goan Sabha land, indicating that it is not rightfully owned by the said persons. It is submitted that no challenge to the said order has been disclosed, and the findings therein continue to operate.
7. That a letter bearing no. F.No. 65/DCF(S)/Land/Ayanagar/22-23/4113-16 dated 29.09.2025 and a letter bearing no. F.No. 65/DCF(S)/Land/Ayanagar/22-23/4249-52 dated 06.10.2025 had also been written to the SDM (Mehrauli) regarding removal of encroachment around the Khasra no. 1978, 1979, 1980, 1981 and 1982 of Village Aya Nagar, New Delhi.
8. That thereafter, as per report dated 14.10.2025, based on the maps submitted by the revenue department in the matter titled as Sonya Ghosh versus GNCTD & Ors., OA no. 58/2013 and as per the said report, there



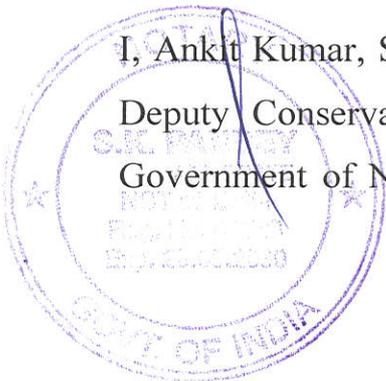
are a total of 16 illegal old houses in Khasra no. 1978 and out of these houses, 12 houses completely and 40% of the area of the other 4 houses fall under the ridge forest land in the said khasra.

9. That the Applicants have sought to challenge and seek stay of the demolition proceedings initiated vide notice dated 07.11.2025 by the SDM. It is submitted that the said communication was issued in discharge of statutory obligations for removal of encroachment from forest land and do not suffer from any lack of jurisdiction, as alleged by the applicants.
10. That it is settled law that no interim protection can be granted to perpetuate an illegality or to restrain statutory authorities from acting in accordance with law, particularly in matters concerning forest conservation and environmental protection. Grant of stay in the present case would result in continued degradation of protected forest land.
11. In view of the above, it is respectfully submitted that the applicants have failed to make out any case for grant of stay. The stay application is misconceived, an abuse of process of law, and liable to be dismissed with costs.


15/1/26
DEPONENT

VERIFICATION:

I, Ankit Kumar, S/o Sh. Anil Kumar, aged about 39 years, presently posted as Deputy Conservator of Forest (South), Department of Forest & Wildlife, Government of National Capital Territory of Delhi, do hereby verify that the



contents of the above affidavit are true and correct to the best of my knowledge and belief, based on official records maintained by the answering Respondent, and nothing material has been concealed therefrom.

Verified at New Delhi on this 15 day of JAN 2026, 2026.

I Identify the Executant/Deponent who has signed Put T.I in my presence



15/1/26
DEPONENT

15 JAN 2026