

BEFORE THE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 587 OF 2024

IN THE MATTER OF:

Mohd Kamran Civilian Welfare Charitable Trust ... PETITIONER
VERSUS

Member Secretary,
Delhi Pollution Control Committee & Ors. ... RESPONDENT

D.O.H: 18-03-2025

I N D E X

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Filed by



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(D-2293/2013)
for

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Delhi:
Dated: 18-03-2025

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REPLY AFFIDAVIT OF THE RESPONDENT NO. 4

I, SAYED MOHD. GHAZALI, son of Sh. Intezar Ali Hashmi, resident of 1584, GF, Gali Peepli Wali, Pahari Bhojla, Delhi-110006, do hereby solemnly affirm and state as under:

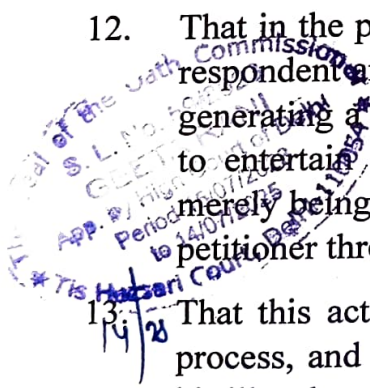
1. That I am the Respondent No. 4 in the present case and am well conversant with the facts and circumstances of the matter. I am competent to swear this affidavit on my behalf.
2. That the present application filed by the petitioner is devoid of merits, based on false, frivolous, and concocted allegations, and has been filed with ulterior motives to harass the answering respondent.
3. That the allegations made by the petitioner regarding the alleged business activities in the premises in question are absolutely false and baseless. The petitioner has not provided any details or documentary evidence to support his claims, and the application is nothing but a misuse of legal provisions for personal gains.

4. That the answering respondent submits that the instant petition is an abuse of the process of law and should be dismissed at the outset.

5. That the answering respondent denies all allegations made by the petitioner regarding the alleged running of a business and the installation of heavy machinery at the premises. The answering respondent has placed on record recent photographs of the premises, which clearly establish that no such business activity is being carried out.

The Seal of the 4th Commission
S. L. No. 59/2023
G.E.P. P. No. 11
APP. No. 14/07/2023
Period-15/07/2023
to 14/07/2024
* The Hazari Court, Delhi-110054
14/03

6. That, contrary to the petitioner's claims, the premises in question are being used for the purpose of providing shelter to factory laborers and economically weaker individuals, such as rickshaw pullers and daily wage workers, who do not have a proper place to reside.
7. That these individuals reside at the premises on a temporary basis and pay a nominal rent ranging between ₹500/- and ₹1000/- per month. The answering respondent, out of goodwill, provides shelter to these downtrodden individuals, ensuring that they have a safe place to stay.
8. That the petitioner has not provided any specific details regarding the alleged machines, their nature, or their operation, which clearly indicates that the allegations are baseless and intended solely to malign the answering respondent.
9. That the photographs filed by the answering respondent are conclusive proof that no industrial or commercial activity is taking place in the premises, and the allegations made by the petitioner are fabricated.
10. That the petitioner is a habitual litigant and the operator of an NGO, who has made a practice of filing frivolous and misleading Public Interest Litigations (PILs) against individuals for personal gains.
11. That the petitioner has a pattern of targeting individuals who own vacant properties or appear to be financially well-off. His modus operandi involves initially approaching such individuals with monetary demands, and upon refusal, filing false complaints and PILs to harass them.
12. That in the present case as well, the petitioner approached the answering respondent and demanded money under the pretext that the property was generating a high rental income. When the answering respondent refused to entertain his baseless demands and clarified that the property was merely being used to provide shelter to laborers and rickshaw pullers, the petitioner threatened to file false litigation against him.
13. That this act of the petitioner amounts to extortion, abuse of the legal process, and an attempt to intimidate law-abiding citizens into fulfilling his illegal monetary demands.
14. That the present PIL is nothing but an attempt to misuse the judicial system for wrongful personal benefits, and the Hon'ble Tribunal should take serious note of such malpractices.
15. That in light of the baseless and false allegations made by the petitioner, it is submitted that this Hon'ble Tribunal may consider constituting an



independent Enquiry Committee to conduct a physical inspection of the premises and verify the factual situation on the ground.

16. That such an enquiry would conclusively establish that:

- No industrial or commercial activity is being carried out at the premises.
- No heavy machinery, as alleged, is installed in the premises. Moreover, no any machinery is installed.
- The premises are being used solely to provide shelter to laborers, rickshaw pullers, and other underprivileged individuals.

17. That the photographs submitted by the answering respondent already provide sufficient evidence that the petitioner's claims are fabricated. However, in order to further verify the truth, the answering respondent is open to an official inspection of the premises by a court-appointed committee.

That it is pertinent to mention that such an enquiry would also help in curbing the misuse of PILs for personal gains and ensuring that the legal system is not exploited for wrongful purposes.

PRAYER

In view of the foregoing submissions, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- a) Dismiss the present application with exemplary costs, as the same is frivolous, vexatious, and an abuse of the process of law;
- b) Constitute an independent Enquiry Committee to conduct an inspection of the premises in question and verify the factual position;
- c) Pass any other order(s) as may be deemed just and proper in the facts and circumstances of the case.

M. Ghezali

DEPONENT

of the with
 S. L. No. 502/2023
 BEETA KANI
 App. by High Court of
 Period-15/07/2023
 Tis Hazari
 10/7/23

VERIFICATION

2/11/25
I hereby declare that I am the deponent who has signed this affidavit in my presence

18 MAR 2025

Verified at Delhi on this 18th day of March, 2025, that the contents of the above affidavit are true and correct to my knowledge and belief. No part of it is false, and nothing material has been concealed therefrom.

M. Ghezali

DEPONENT

The Seal of the Oath Commissioner
S. L. No. 40/2023
GEETA RANI
App. by High Court of Delhi
Period: 13/07/2023
to 14/07/2023
Tis Hazari Court, Delhi-110054
14/25

VERIFIED THAT THE DEPONENT
Shri/Smt./Km. *G. Yed. Moh. Ghezali*
S/o W/o R/o *Sh. Intezar Ali / Mehmy*
identified by *Shri. Waseem Firoz Ad*
has solemnly sworn before me a
Delhi Oath Commissioner No. *14/25*
that the contents of the affidavit which have
been read and explained to him are true and
correct to his knowledge

[Signature]
Oath Commissioner

18 MAR 2025





