

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, AT NEW DELHI
ORIGINAL APPLICATION(O.A.) NO.237 OF 2025

IN THE MATTER OF:

Narender Kumar

APPLICANT

V/S

State of Haryana & Ors

RESPONDENTS

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THROUGH COUNSEL

FILED BY

PREETI SHARMA
ADVOCATE,
SUPREME COURT OF INDIA
CH.NO.-17,
NEW LAWYERS CHAMBER,
M.C. SETALVAD BLOCK,
SUPREME COURT OF INDIA,
NEW DELHI
MOBILE-9818060585

DATED-08.11. 2025

PLACE: NEW DELHI

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION(O.A.) NO.237 OF 2025

IN THE MATTER OF:

Narender Kumar

APPLICANT

VS

State of Haryana & Ors
RESPONDENTS

REPLY BY WAY OF AFFIDAVIT OF THE RESPONDENT No-9



MOST RESPECTFULLY SHOWETH:

Reg. No. 10054
Valid upto 17-02-2030
Roharh
Mohalla, Dhouj (17), Faridabad, Haryana
Age R/o 1145,
stand Masjid,
do

hereby solemnly affirm and state as under:

1. That I am the respondent no.-9 in the present case, therefore fully conversant with the facts and circumstances of the present case, as such competent to swear this affidavit.
2. That at the very outset I state that no point of this O.A. if not denied specifically, is deemed as admission on the part of this respondent.
3. That I further state that the applicant has filed a false case vide the present O.A. It is stated that the present O.A. is based on incorrect as well as misconceived and misleading facts. This O.A. is gross abuse of the process of the Hon'ble Tribunal. I, therefore, state that the instant O.A. is, liable to be dismissed

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with exemplary costs. Further the applicant is liable for action /prosecution under Section 215 of BNSS.

4. I also state that the averments made in the O.A. and the documents attached with it, show that it is crystal clear that the Present O.A. has been filed with oblique motive even when penalty amount has been deposited in the Village Panchayat account. I state that the applicant has misled this Hon'ble Tribunal by falsely asserting that illegal act was committed on Gram Panchayat Land village, Prithla, District Palwal, Haryana, in collusion with the elected Sarpanch, the gram Panchayat secretary, a private contractor as well as with the connivance of the district officials such as BDPO, SDM and Deputy Commissioner, with the deliberate objective of profiteering at the cost of severe ecological degradation, loss of public resources, and violation of the polluter pays and precautionary principles enshrined under Section 20 of the national Green Tribunal Act 2010.
5. It is stated that the Hon'ble tribunal has been ~~misused~~ abused as the applicant is seeking to assert untruth by his wild allegations against the village Sarpanch, present respondent no-9, and the secretary, Hon'ble District Commissioner, Sub-Divisional Magistrate and Block Development Officer. This is malicious act of the applicant.
6. That it is stated very respectfully that the indeed trees felled were 68 in all, though permission granted by the District



administration was only for 43 trees. However, the correct fact substantiated by the document relied by the applicant himself in the instant O.A., is that the trees were felled by the workers/labourers in excess of the sanctioned strength primarily because they found them hindrance in cutting/felling those of the 43 trees which were part of the sanctioned strength. Was not present on the site at that time. I state that I had informed the full Panchayat body and given them the explanation also..

7. It is submitted that the respondent has himself admitted before the Garhpur Police station that 25 trees were cut because they were found as hindrance in cutting the above 43 trees. It is submitted that the Village Sarpanch or any of the elected members was no way and no where party to the acts of the said contractor. Such allegation is malicious and vexatious. I state that the I had owned responsibility and I had deposited the Rs 233125 in the account of the Village Panchayat and further planted 250 trees also on the same land.

8. That it is stated that the aforesaid self-admissions itself show the steps were taken with all alacrity and promptness by the elected panchayat members headed by the Sarpanch as they had sought explanation from the respondent and recovered the penalty amount also besides ensuring that 250 tree were also planted by the respondent as stated herein above.



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9. That it is stated that however, certain material facts have been suppressed in the instant O.A. which is that after the above Panchayat members noticed the excess of tree felling, the entire elected panchayat members sought explanation from the respondent by serving him so-cause notice and authorized the respondent no-7 to take the legal steps in the present matter after passing the resolution to the above effect.
10. That I state that the alacrity with which the respondent deposited the penalty amount itself speaks of the sincerity on the part of the respondent in responding to the situation which was totally disheartening in the face of the laurel earned by present Panchayat as the present Panchayat has earned name and fame in the District for afforestation and sanitation.
11. That it is stated further that the respondent under the direction of the panchayat members took all possible steps to restore the damage done to the environment. Above all the respondent assisted the said Sarpanch in complying with the order of the District Administration.
12. That it is stated that the facts mentioned herein above show amply that the applicant's present O.A is malicious and motivated one, as such it is liable to be dismissed with exemplary costs for wasting the precious time of the present Hon'ble Tribunal.



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13. That the Hon'ble Supreme Court of India, has held in Noorduiddin V/s K. L. Anand 1995 SCC(1)242, as under :-

“Equally the judicial process should never become an instrument of operation or abuse or a means in the process of the Court to subvert justice”. It is stated that the above Judgment applies to the facts and circumstances of the present case.

14. That the deponent states the synopsis does not represent correct facts, therefore it is denied. Further the facts narrated in the facts column are incorrect, misconceived and misleading, therefore denied totally except the records part of the present matter.

PARA WISE REPLY TO GROUNDS

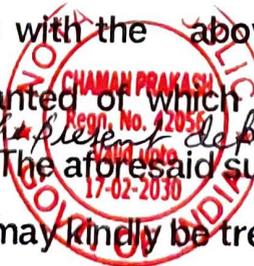
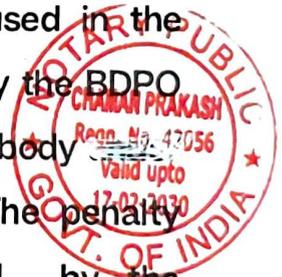
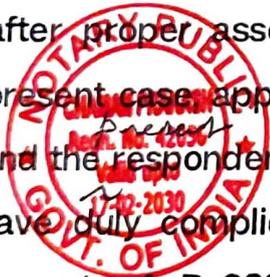
1. That the contents of the ground 1 under reply are, false besides being misconceived, and misleading, therefore denied word by word line by line except as to the records of the present case.
2. That the contents of the ground 2 under reply are, malicious, false besides being misconceived, and misleading, therefore denied word by word line by line except to the extent they are parts of record. I state that it has been falsely alleged that there was collusion among the Panchayat Secretary, Sarpanch and the said Contractor. This is malicious. This allegation is vexatious and tormenting as well. The aforesaid submissions may

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kindly be treated as part and parcel of the present reply to the present ground for the sake of brevity.

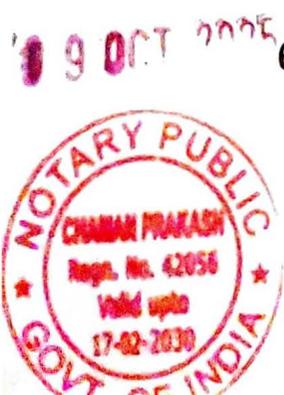
3. That the contents of the ground 3 under reply are, totally false, baseless as well as malicious besides being misconceived, and misleading, therefore denied word by word line by line except as to the records of the present case. The annexures relied by the applicant himself in the present O.A., clearly show the steps that were taken by the Panchayat elected body under the leadership of the respondent no-7. The above annexures further show that the Said officials of the District administration such as the BDPO, the Deputy Commissioner as well as the local Police officer had acted very promptly with all alacrity and only after proper assessment of the damage caused in the present case appropriate Order was passed by the BDPO and the respondent and the elected Panchayat body have duly complied with the above Order. The penalty amount of Rs233125/- has been deposited by the respondent in the account of the Village Panchayat Prithala and further in compliance with the above Order, total of 500 trees have been planted of which 250 have been planted by the contractor. The aforesaid submissions made herein above in the paras, may kindly be treated as part and parcel of the reply to the present ground for the sake of brevity.



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4. That the contents of the ground 4 under reply are, false besides being misconceived, and misleading, therefore denied word by word line by line except to the extent they are parts of record. The submissions made herein above show abundantly that appropriate steps with all promptness were taken in the matter and the ecological loss/damage caused by felling of 25 extra trees, has been adequately restored. Rs 233125 has also been recovered from the respondent and 500 trees have also been planted.
5. That the contents of the ground 5 under reply are, false besides being misconceived, and misleading, therefore denied word by word line by line. The penalty amount as decided by the District Administration has been deposited in the Gram Panchayat's account by the respondent and 500 trees have also been planted. Therefore, the essence of the polluter pays and precautionary principles as outlined under Section 20 of the National Green Tribunal Act, has been achieved by the strict, prompt and diligent efforts and steps taken with all sincerity by the District Administration under the respondent no.5, 6 and 8 respectively. Accordingly the so cause Notice has been disposed off, which was served to the present respondent no.7 by the district administration.
6. That the contents of the ground 6 under reply are, false besides being misconceived, and misleading, therefore



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denied word by word line by line except the parts of record. The aforesaid submissions may kindly be treated as part and parcel of the present reply for the sake of brevity.

7. That the contents of the ground 7 under reply are, matter of record, therefore the respondent need no reply. However, it is stated that the essence of the Polluter pays principle and the precautionary principles has been achieved.
8. That the contents of the ground 8 under reply are false besides being misconceived, and misleading, therefore denied word by word line by line except the parts of record. I state that the respondent has immediately deposited the aforesaid penalty amount, therefore, the ends of justice has been achieved. Also 500 hundred trees have been planted as per the BDPO Order. I state that the penalty must be proportionate and never disproportionate at all. Now there is no case against the present respondent.
9. That the contents of the ground 9 under reply are false, misconceived, and misleading, therefore denied word by word line by line except the parts of record. The aforesaid submissions may kindly be treated as part and parcel of the present reply for the sake of brevity.
15. That the deponent states very humbly that Prayer clauses 01 to 09 are absurd, illegal, motivated and guided by malafides and oblique motives, even otherwise they have become

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infructuous. Therefore, all the prayer clauses deserve to be dismissed with heavy costs in favour of the present body.

PRAYER

Deponent, therefore, prays very humbly that the present Hon'ble Tribunal may most graciously be pleased to:

- a. dismiss the present O.A. with heavy costs in favour of the present deponent,
- b. Punish the applicant under the laws of the land such as Section 215 of BNSS, and
- c. pass any such other or further orders as this Hon'ble Tribunal deems fit and proper in the interest of kind justice.

FOR THIS ACT OF KINDNESS THE DEPONENT AS IN DUTY BOUND SHALL EVER PRAY.

DEPONENT

VERIFICATION

VERIFIED ON THIS ~~TUESDAY, 15 DAY OF SEPTEMBER, 2025,~~ ^{09 OCT 2025} that the statements made in the present OA are true to the best of deponent's knowledge and nothing material has been concealed therefrom.

DEPONENT

ATTESTED

CHAMAN PRAKASH, Advocate
NOTARY DELHI, Regn. No. 42056
GOVERNMENT OF INDIA
SUPREME COURT OF INDIA
COMPOUND NEW DELHI

I identified the document executed by Jai Prishwa Singh who has signed by the deponent.

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NOTARIAL REGISTER
Page No. / Serial No. / Date

.....110...../1599A/.....09/10/25

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION(O.A.) NO.237 OF 2025

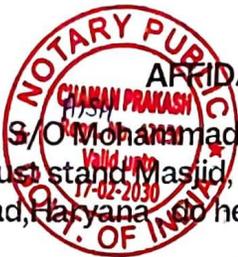
IN THE MATTER OF:

Narender Kumar

APPLICANT

VS

State of Haryana & Ors
RESPONDENTS



AFFIDAVIT

I, ~~HABIB~~ Mohammad S/O Mohammad, aged R/O 1145,
Rubarh Mohalla, Bus stand Masjid,
Dhauj(17), Faridabad, Haryana do hereby solemnly affirm and
state as under:

1. That I am the respondent no.9 in the present O.A., as such I am fully conversant with the facts and circumstances of the present case, therefore competent to swear this affidavit.
2. That the present ~~reply~~ *delay application* has been prepared by my counsel on my instruction and the same has been read over to me and the same has been explained also in vernacular Hindi.
3. I further state that everything stated there in is true to the best of my knowledge and nothing material has been concealed there in.

[Signature]
DEPONENT

VERIFICATION

09 OCT 2025

Verified on this *Tuesday*, the *9th* day of the year 2025 that everything stated in the present O.A. is true to the best of my knowledge and nothing material has been concealed therein. It is further verified that all the annexures attached with the present reply, are true copies of the Originals.

Vaisheshika Singh
I identified the document executed who has signed by the deponent.



ATTESTED

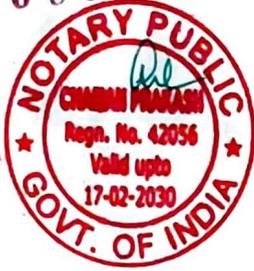
[Signature]
CHAMAN PRAKASH, Advocate
NOTARY DELHI, Regn. No.42056
GOVERNMENT. OF INDIA
SUPREME COURT OF INDIA
COMPOUND, NEW DELHI
Mob. No. : 9999264732

NOTARIAL REGISTER
Page No. / Serial No. / Date

.....110...../1599/09/10/25

[Signature]
DEPONENT

09 OCT 2025



ATTESTED

[Signature]
CHAMAN PRAKASH, Advocate
NOTARY DELHI, Regn. No. 42056
GOVERNMENT OF INDIA
SUPREME COURT OF INDIA
COMPOUND, NEW DELHI
Mob. No. : 9999264732

NOTARIAL REGISTER
Page No. / Serial No. / Date

.....110...../1599...../09/10/25-

[Signature]
I identified the document executed
who has signed by the deponent.



FIR No. _____ C.No _____
U/S _____
P.S. _____
Distt. _____

IN THE COURT OF THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH AT NEW DELHI

Suit/Appeal No. 231 JURISDICTION of 2025

In re :-
Naveender Kumar Plaintiff / Apptt/Petitioner/Complainant

VERSUS

State of Haryana & ors. Defendant/Respondent/Accused

KNOWALL to whom these present shall come that I/We Habib Mohammad s/o Aish Mohammad R/o 1145 Rubaek Mohalla, Bus Stand Masjid Dhoig (17) Faridabad HR

The above named Habib Mohammad do hereby appoint



ASHISH KUMAR SINGH
(D/11463/2024) Advocate
Chamb. No. 360, Western Wing,
Tis Hazari Court, Delhi-110054
Mob. 9717230421

Mob: 9818060585, Email: - advocatepreeti4@gmail.com

(herein after called the advocata/s) to be my/our Advocate in the above-noted case authorise him :-
To act, appear and plead in the above-noted case in this court or in any other Court in which the same may be tried or heard and also in the appellate court including High Court subject to payment of fees separately for each court by me/us.
To sign file, verify and present pleadings, appeals cross-objections or petitions for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subjects to payment of fees for each stage.



To file and take back documents to admit and/or deny the documents of opposite party
To withdrsw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.
To take execution proceedings
The deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.
To appoint and instruct any other Legal Practitioner authorising him to exercise the power and-authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.

And i/we the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/ourown acts, as if done by me/us to all .ntents and purpose.
And I/We undertake that I/We or my/our duly authorised agent would appear in court on all hearings and will inform the Advocate for appearance when the case is called.
And I/We undersigned do hereby agree not to hold the advocate of his substitute responsible for the result of the said case The adjournment costs whenever ordered by the court shall be of the Advocate which he shall receive and retain for himself.

And I/We undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and above Court I/We hereby agree that once the fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolon is for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHERE OF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this 9th day
Of September October 2025, Accepted subject to the terms of the fees.

P.A. Sharma
Advocate Naveender Kumar

Client
[Signature]

Client
I Identify The Signature/Thumb Impression Of Below Mentioned Person,
Signed In My Presence. The Client.

BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH AT NEW DELHI
ORIGINAL APPLICATION(O.A.) NO.237 OF 2025

IN THE MATTER OF:

Narender Kumar

APPLICANT

VS

State of Haryana & Ors

RESPONDENTS

APPLICATION FOR CONDONATION OF DELAY IN FILING THE PRESENT

REPLY BY THE RESPONDENT NO.-9

MOST RESPECTFULLY SHOWETH:

1. That it is submitted very humbly that in the the present O.A. which is pending adjudication before this Tribunal, Notice was issued to the present respondent.
2. That however, there is delay of DAYS in filing the reply to the above application. It is submitted that the above delay is inadvertent, as the same occurred due to illness.
3. That in the interests of kind Justice the present delay may kindly be condoned and the present reply may pl be taken on record.,

Entry No. 1030

27 OCT 2025

Prayer

It is therefore, prayed very humbly that the present Hon'ble Tribunal may most graciously be pleased to:

- a. Allow the present application and
- b. Pass such other or further orders as deemed fit and proper in the interests of kind Justice.

FOR THIS ACT OF KINDNESS THE RESPONDENT AS IN DUTY BOUND SHALL EVER PRAY

Applicant

THROUGH COUNSEL

DATED 27/10/2025
PLACE: NEW DELHI



know the respondent
executant who has signed
humb impression before me

Attested as
Notary Public
Govt of India

27 OCT 2025