

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNALPRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 905 OF 2024

IN THE MATTER OF:

VARUN TODI

..APPLICANT

VERSUS

MUNICIPAL CORPORATION OF DELHI &amp; ORS...RESPONDENTS

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RESPONDENT NO. 2

THROUGH COUNSEL:

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"D & S LAW OFFICES"

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Filed On: 28.10.2025  
At New Delhi

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PRINCIPAL BENCH, NEW DELHI

ORIGINAL APPLICATION NO. 905 OF 2024

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MUNICIPAL CORPORATION OF DELHI & ORS...RESPONDENTS

REPLY TO THE ORIGINAL APPLICATION ON BEHALF OF THE  
RESPONDENT NO. 2

1. That the instant application under reply is an abuse of process of law. The Petitioner has not come before this Hon'ble Court with clean hands and has failed to place before this Hon'ble Tribunal material facts relevant for adjudication of the application.
2. That the mala fide on part of the Petitioner is self evident from the fact that the Applicant has deliberately failed to provide the correct address of the Answering Respondent in the application so as to obtain orders against the Answering Respondent in respect of the property owned by him behind his back by misleading this Hon'ble Tribunal with wrong facts.
3. That it is pertinent to mention that the Applicant with an intention to mislead this Hon'ble Tribunal has deliberately failed to mention anywhere in the OA as to where exactly, i.e., what is the municipal number of the area which is

under the occupation of the Answering Respondent. The Petitioner has only mentioned Lawn A and Lawn B, annexed some pictures and has completely failed to give the location of the alleged parks in Kaushalya Park Colony.

4. That the location of the Lawn A and Lawn B has been identified only by the MCD in its status report. It is pertinent to mention that the area marked under Lawn B is not under possession of the Answering Respondent but, is under ownership and occupation of a third party. The Petitioner is obligated to implead to the present application all persons against whose land he is trying to obtain order from this Hon'ble Tribunal.
5. That the Answering Respondent is owner and in occupation of entire Lawn A measuring 1070 sq yds having municipal number 16-17 in Kaushalya Park Colony. The Respondent No. 1 herein i.e., MCD had tried to illegally encroach upon the said land over two decades ago. To stop MCD from the said illegal actions the Answering Respondent had filed a suit for declaration against the MCD which is still pending adjudication before the District Judge, Central, Tis Hazari Courts, Delhi. All the documents which have been filed along with the application under reply and by the MCD are subject matter of civil suit pending adjudication. The suit has been numbered as CS DJ 9540/2016 (old suit number being Civil Suit 115/2003).

A true copy of the plaint as filed in CS DJ 9540/2016 is annexed and marked as ANNEXURE R-1.

A true copy of the order dated 13.08.2025 passed in CS DJ 9540/2016 is annexed and marked as ANNEXURE R-2.

6. That further, the Hon'ble High Court of Delhi by way of order dated 30.07.2004 passed in FAO No. 82 of 2004 titled 'Shan Mohd & Ors. VS. MCD & Ors.' has directed all the parties to maintain status quo in respect of the suit property which in the application under reply has been referred to as Lawn A. The said order of the Hon'ble High Court is still in force and the parties have been abiding by the same. A true copy of the order dated 30.07.2004 is annexed and marked as ANNEXURE R-3.
7. That the said property is about 1070 sq. yards and the entire property is under the ownership, control and possession of the Answering Respondent. The MCD has wrongly averred in its status report dated 20.02.2025 that the Answering Respondent is in occupation of only 529.47 sq. yards. The said contention is false and contrary to the order passed by the Hon'ble High Court.
8. That in the civil suit the Respondent No. 3 had filed an application seeking impleadment which was allowed. Thereafter the Answering Respondent filed CM (Main) No. 1332 of 2013 before the Hon'ble High Court challenging the said order. On directions of the Hon'ble High Court in the said petition the concerned Tehsildar had carried out demarcation of the area and the Lawn B as mentioned in the application was held to be under ownership of the said

Respondent. A true copy of the order dated 10.07.2014 passed by Hon'ble High Court in CM (Main) No. 1332 of 2013 is annexed and marked as ANNEXURE R-4.

9. That no cause of action has arisen in favor of the Applicant to file the instant original application as the property in question is a private property. The Applicant has failed to approach the concerned authority to get requisite information before filing the present original application. The MCD has been directed by the Hon'ble High Court to maintain status quo in respect of the property.

PARAGRAPH WISE REPLY TO BRIEF SYNOPSIS

10. That the contents of para I are wrong and denied. It is denied that the Answering Respondent is an encroacher. The Answering Respondent is lawful owner and in occupation of property bearing 16-17, Kaushalya Park. As mentioned above civil suit in respect of the property is pending adjudication and the Hon'ble High Court of Delhi has directed status quo to be maintained till disposal of the suit. The standing committee report as mentioned is wrong and denied, nothing further is being stated as the suits is still pending.
11. That the content of para II are wrong and denied. The MCD cannot illegally occupy private property and transform the same into a park. Further, the MCD has been directed to maintain status quo in respect of the property.

12. That the contents of para III are wrong and denied. As already stated the Answering Respondent is lawful owner and in occupation of his private property.

13. That the contents of para IV are wrong and denied. The Applicant has filed the application under reply without disclosing all the facts and thus the petition deserves to be dismissed outrightly.

PARAGRAPH WISE REPLY TO FACTS OF THE CASE

14. That the contents of para I are wrong and denied. The Applicant has failed to place on record any documents supporting his contentions and in support of his credentials. The Applicant has failed to explain before this Hon'ble Tribunal that why he has filed a case in respect of a property which located more than couple of kilo-meters away from his residence. In fact, the Applicant is an extortionist and has filed the instant application before this Hon'ble Tribunal to illegally extort money from the Answering Respondent. Further, the Applicant has failed to explain before this Hon'ble Tribunal as to why he did not approach the MCD asking it to act as per law and instead directly filed the application before this Hon'ble Tribunal.

15. That the contents of para II are wrong and denied. The public at large does not have any right over the private property owned by the Answering Respondent.

16. That the contents of para III are wrong and denied. The Answering Respondent is not an encroacher but legal owner and in occupation of his private property.
17. That the contents of para IV are wrong and denied. As mentioned above civil suit between the Answering Respondent and the MCD is pending adjudication.
18. That the contents of para V are wrong and denied.
19. That the contents of para VI need no reply.
20. That the contents of para VII are wrong and denied. As mentioned hereinabove a civil suit is pending in respect of the property and all the relevant documents have to be considered therein for pronouncement of final judgment. That the contents of the para under reply are denied and the existence and validity of the said resolution as mentioned therein is also denied.
21. That the contents of para VIII are wrong and denied. As mentioned hereinabove a civil suit is pending in respect of the property and all the relevant documents have to be considered therein for pronouncement of final judgment. It is respectfully submitted that findings of a civil court after due trial are binding upon proceedings before this Hon'ble tribunal. Further, Hon'ble High Court of Delhi has directed status quo to be maintained in respect of the property. That the contents of the para under reply are denied

and the existence and validity of the said resolution as mentioned therein is also denied.

22. That the contents of para IX are wrong and denied. The layout plan as mentioned in the para under reply is wrong and denied and thus anything written in it cannot be relied upon.

23. That the contents of para X are wrong and denied. The Answering Respondent is in lawful possession and is owner of the property.

24. That the contents of para XI are wrong and denied. The resolution plan relied upon is denied and the same cannot be relied upon.

25. That the contents of para XII need no reply from the Answering Respondent.

26. That the contents of para XIII need no reply.

27. That the contents of para XIV need no reply.

28. That the contents of para XV are wrong and denied. The Answering Respondent is not an encroacher and is legal owner and in lawful possession of his property.

#### PRAYER

In light the submissions made herein above and on account of concealment on part of the Applicant it is preyed that the instant application be dismissed with heavy costs.



RESPONDENT NO. 2

THROUGH COUNSEL:



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VERSUS

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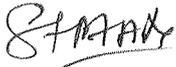
**AFFIDAVIT**

I, Shan Mod S/o Late Khan Bahadur R/o 16-17, Kaushalya Park, Hauz Khas, Delhi - 110016 do hereby solemnly affirm and declare as under:-

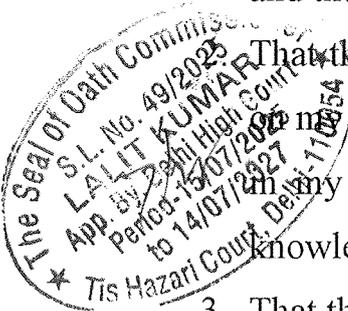
1. That I am the Respondent No. 2 in the abovementioned original application and therefore well conversant with the facts and circumstances of the case and thus, competent to swear this affidavit.

That the accompanying reply to the original application has been drafted in my vernacular and understood by me and the same are true to my knowledge.

3. That the annexures filed are true copy of their originals.

  
DEPONENT

VERIFICATION :-



Verified at Delhi on this <sup>28 OCT 2025</sup> day of October 2025 that the contents of this affidavit paragraphs 1 to 3 are true to the best of my knowledge and belief and no part of it is false and nothing has been concealed thereof.

I identify the deponent who has signed in my presence

*S. B. B.*  
DEPONENT



CERTIFIED THAT THE DEPONENT  
Shri/Smt./Km. *Shan Mohd*  
W/o W/o D/o... *Shan Bahadur*  
Identified by *Smt. Rajiv Datta*  
at the Court on **28 OCT 2025**  
which have been read and are true and correct to his knowledge.  
*[Signature]*  
Oath Commissioner Delhi

28 OCT 2025



~~20/07~~  
~~19/07/14~~

AMENDED PLAINT.

IN THE COURT OF MS. SHAIL JAIN: ADDITIONAL DISTRICT JUDGE: AT DELHI.

SUIT NO. OF 2000

IN THE MATTER OF:

1238/08  
10/12/08

1. Shan Mohammad,  
S/o late Sh. Khan Bahadur,
2. Jaan Mohammad,  
S/o late Sh. Khan Bahadur;
3. Smt. Akbari Begum,  
W/o late Sh. Khan Bahadur,
4. Muntiaz Mohammad,  
S/o late Sh. Khan Bahadur,

CS. DJ-69540/16

CS-337/2017

04/07/17

All resident of 16/17, Kaushalya Park,  
Hauz Khas, New Delhi-110 016.

..Plaintiffs

Versus

1. Municipal Corporation of Delhi,  
service may be effected through  
Commissioner, M.C.D., Town Hall,  
Delhi.
2. Zonal Engineer,  
MCD, South Zone,  
Green Park,  
New Delhi.

...Defendants.

SUIT FOR DECLARATION AND PERMANENT INJUNCTION

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ATTEST  
16/3/21



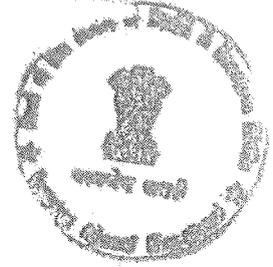
JUST RESPECTFULLY SHOWETH:

1. That the plaintiff are in actual physical possession of the property bearing No. 16/17, Kaushalya Park, New Delhi admeasuring 1032 Sq. Yards, as since the year 1958. A site plan of the said property is annexed herewith and marked as Annexure 'A'.
2. That in the year 1973, one Shri R.P. Kapur filed a suit against Late Shri Khan Bahadur, the father of plaintiffs nos. 1, 2 & 4 and husband of plaintiff No. 3, for eviction and possession alleging that Shri R.P. Kapur, is the part owner of Khasra Nos. 373, 374, 494/375 of Village Kharera, Tehsil Mehrauli and that these Khasra Nos. now form part of colony known as Kaushalya Park, Hauz Khas, New Delhi.
3. That the suit was contested by the Late Shri Khan Bahadur, the father of plaintiffs Nos. 1, 2 & 4 and husband of plaintiff No. 3 and it was submitted that the said Shri R.P. Kapur was not the owner of the said property and that he had no right, title or interest in the said property and that he had not locus standi to file the suit. It was submitted that Late Shri Khan Bahadur continued to remain in actual physical continuous and un-interrupted

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 GOVERNMENT OF INDIA



possession of the said property since the year 1959. It was also submitted that Late Shri Khan Bahadur had built four rooms, kitchen, a court yard, three jhuggies and a shop in the said property. Late Shri Khan Bahadur claimed rights in the said property by way of adverse possession.

4. That the suit filed by Shri R.P. Kapur was dismissed by Shri Dheram Raj Singh, Sub Judge, Delhi vide judgment and order dated 22.08.87. The Learned Judge held that the said Shri R.P. Kapur failed to establish that he was the lawful owner of the property in dispute and that he has no locus standi to filed suit for eviction and for restoration of possession and that the plaint did not show cause of action against the defendant i.e. Late Shri Khan Bahadur and the suit was dismissed.
5. That the said Shri R.P. Kapur filed an appeal against the said judgment and order passed by the Learned Sub Judge, Delhi, dismissing the suit filed by Shri R.P. Kapur.
6. That the said appeal was also dismissed by Shri S.M. Dhingra, Additional District Judge, Delhi vide judgment and order dated 18.02.92 passed in RCA No. 325 of 1987.
7. That the said judgment and order passed by the Learned Additional District Judge was not

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challenged by the said Shri R.P. Kapur and the same has become final and binding.

8. That thus it is submitted that it is established that the said Shri R.P. Kapur was not the owner of the property in dispute and that he had no right, title or interest in the said property.

9. That Shri Khan Bahadur expired in the June, 1992. The plaintiffs are the legal heirs of Late Shri Khan Bahadur and continue to be in actual physical uninterrupted possession of the said property. The plaintiffs have perfected their title to the said property by way of adverse possession. It is submitted that Late Shri Khan Bahadur, father of plaintiffs Nos. 1, 2 & 4, and husband of plaintiff No. 3 during his life time, and after his demise the plaintiffs, have throughout retained and continued in hostile adverse possession of the said property as owners thereof.

10. That the said Shri R.P. Kapur expired on September 2000.

11. That it is learnt by the plaintiffs that before the said Shri R.P. Kapur expired, some time in June, 2000 he wrote a letter to the defendants for handing over the said property to the defendants in a wholly unlawful, illegal and mischievous manner.

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16/3/21



- 12. That it is submitted that said Shri R.P. Kapur had no right, title or interest whatsoever in the said property and same could not be handed over or conveyed by him to the defendants.
- 13. That it is submitted that the defendants cannot take possession of or enter upon the said property in occupation and possession of the plaintiffs.
- 13. That it is learnt by the plaintiff that the defendants acting on the basis of the said letter allegedly written by the said Shri R.P. Kapur, are now trying to enter upon and take possession of the plaintiffs. It is submitted that the defendants have no legal right whatsoever over the said property and the defendants cannot enter upon or take possession of the said property.
- 16. That the plaintiffs have now learnt that the defendants intend to enter upon and take possession of the said property in a wholly unlawful and illegal on or around 15th November, 2000.
- 16-a. That the plaintiffs have already served upon the defendant-M.C.D. a statutory notice under Section 477-478 of Delhi Municipal Corporation Act claiming a right of adverse possession against them. The said notice dated 20.04.2004 was sent by registered post acknowledgement due on 20.04.2004

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Notarized stamp with handwritten signature and date '16/3/21'.



and a computerized copy thereof was personally delivered in the office of the Commissioner, N.C.D., Town Hall, Delhi on 21.04.2004 vide diary No. 1031. Despite expiry of the statutory period of two months from the date of service of the notice, no reply has been received to the said notice either by the plaintiffs or their counsel.

16-B. That once a title of ownership has been perfected upon by the plaintiffs by adverse possession, the defendant-N.C.D. is left with no right, title or interest in regard to the property in dispute and as such any action including the threatened action of demolition and taking over possession will be altogether illegal and the plaintiffs have a right to resist any such action. During the pendency of the proceedings, despite status quo order passed by Hon'ble Delhi High Court in the appeal filed by the plaintiffs against an interim order, the defendant-N.C.D. has demolished the property in dispute on 12.03.2004 which proves that the defendants have always been interested not only in demolishing the property but also dispossessing the plaintiffs from the suit property. However, subsequently, after obtaining an order from Hon'ble Mr. Justice Madan B Lokur of Delhi High Court in a contempt petition, a temporary structure comprising of four rooms, kitchen, latrine and bath-room has been erected and is existing at the site. The defendant still bears

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16/3/21  
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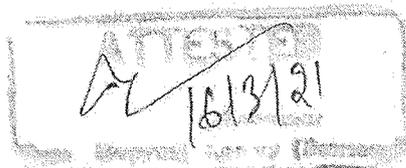


upon in demolishing the existing structure and dispossessing the plaintiffs from the suit property and hence this suit.

17. That the cause of action arose three days ago when the plaintiffs came to know that the defendants are trying to enter upon and take over the said property in occupation and possession of the plaintiffs. Cause of action is continuing.
18. That the suit is valued at Rs. 5,05,000/- for the purposes of jurisdiction and for the relief of Declaration as prayed in prayer (a) and an adveloram court fee of Rs. 7,275/- is being affixed. For the relief of declaration as prayed in prayer (b) and for the relief of permanent injunction as prayed in prayer (c) the suit is valued at Rs. 210/- each and a fixed court fee of Rs. 21/- each is affixed on the plaint.
19. That the suit property is situated in New Delhi. Defendants have their offices in New Delhi. Cause of action arose at New Delhi. Hence, this Hon'ble Court has the territorial jurisdiction.

In the circumstances, it is, therefore, most humbly and respectfully prayed that this Hon'ble Court may kindly be pleased to :

- a. pass a decree of declaration that the plaintiffs have perfected their titles.





the said property bearing No. 16/17, Kaushalya Park, New Delhi by adverse possession, and

b. pass a decree of declaration that the defendants have no right whatsoever to enter upon or to take possession of the said property bearing No. 16/17, Kaushalya Park, New Delhi in occupation and possession of the plaintiffs, and

c. pass a decree of permanent injunction restraining the defendants, their servants, agents, employees and representatives from entering upon or from taking possession of the said property bearing No. 16/17, Kaushalya Park, New Delhi.

d. pass any such other and further orders which this Hon'ble Court may deem fit and proper on the facts and in the circumstances of the case.

Handwritten signatures of the plaintiffs.

S. N. KHAR  
Plaintiffs

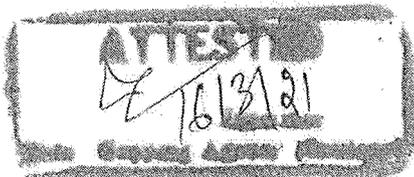
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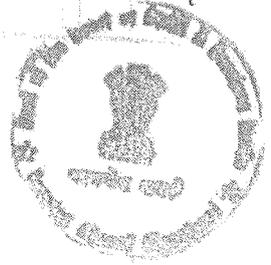
Handwritten signature of O.P. Verma.

(O.P. Verma)  
Advocate

New Delhi.

Dated: 13.11.2000/02.09.2004.





VERIFICATION:

Verified at New Delhi on this 2nd day of September, 2004 that the facts stated in paras 1 to 16 of the plaint are true and correct to our knowledge and the legal submissions made in paras 17 to 19 of the plaint are believed to be true upon advise. Last para is the prayer to this Hon'ble Court.

अभिमान  
S. P. KHAN  
Plaintiffs.  
लाल गिरी

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ATTESTED  
16/3/21  
[Signature]

CS DJ 9540/16  
SHAN MOHD. Vs. M.C.D.

13.08.2025

Present : Sh. Saksham Aggarwal, Ld. Associate Counsel (enroll no. D/4326/2021) for Sh. Rajeev Dalal, Ld. Counsel for the plaintiff.

Sh. Madan Sagar, Ld. Counsel for the defendant/MCD

Matter is listed for the final arguments today. However, an adjournment has been sought for by the Ld. Associate Counsel for the plaintiff on the ground of bereavement in the family of Ld. Main Counsel.

Heard. Granted as unopposed.

Be listed for final arguments as an absolute last and final opportunity on **29.10.2025**.

Issuewise written submissions, if any, be filed by both the parties not more than 5 pages by the next date of hearing with supply of advance copy of same to opposite counsel at least 15 days before the next date of hearing.

**The date has been given as per the convenience of Ld. Counsel for both the parties.**

(Sandeep Kumar Sharma)  
DJ-02/CENTRAL/THC  
DELHI-13.08.2025



-21-

Sr. No.	Date	Orders
		<p>IN THE HIGH COURT OF DELHI AT NEW DELHI</p> <p>FAO 82/2004 &amp; CM 3522/2004</p> <p>SHAN MOHD. &amp; ORS. .... Appellants Through Mr. O.P.Verma, Advocate.</p> <p>versus</p> <p>MCD &amp; ORS. .... Respondents Through Mr.Manu Mridul, Advocate for R-1. Mr.Ashok Bhasin, Advocate for R-2 - R-10.</p> <p><b>CORAM:</b> <b>HON'BLE MR. JUSTICE R.S. SODHI</b></p> <p style="text-align: center;"><b><u>ORDER</u></b> <b>30.07.2004</b></p> <p>%</p> <p>This appeal is directed against the order 25.02.2004 of the Additional District Judge, Delhi in Suit No.115/2003 whereby the learned Judge has dismissed the application of the appellant under Order 39 Rule 1 &amp; 2 CPC in respect of premises bearing no. 16/17, Kaushalya Park, New Delhi.</p> <p>It is contended by counsel for the appellant that in the suit pending before the trial court the issue whether the suit is maintainable or not is being heard, final arguments have been addressed and the Judgment in respect thereto is awaited. He submits that in the event the trial court holds that the suit is</p>



-22-

Sr. No.	Date	Orders
		<p data-bbox="963 309 1557 344">:2: FAO 82/2004</p> <p data-bbox="501 383 1565 663">maintainable then the question of injunction under Order 39 Rule 1 &amp; 2 CPC would arise. In the event the trial court holds that the suit is not maintainable the question of carrying on the application under Order 39 Rule 1 &amp; 2 CPC would not arise.</p> <p data-bbox="496 701 1565 1133">In this view of; the matter, having heard counsel for the parties, F.A.O.82/2004 is disposed of with an order of status quo to await the judgment of the trial court in Suit No.115/2003. The fate of the status quo order would be governed by the judgment of the trial court. CM.APPL. 3522/2004 also stands disposed of.</p> <p data-bbox="1139 1339 1382 1370">R.S. SODHI, J</p> <p data-bbox="587 1375 842 1451">JULY 30, 2004 bp</p>

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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ CM(M) 1332/2013 and C.M. No.19806/2013 (stay)

SHAN MOHD & ORS

Through: Mr. O.P. Verma, Advocate.

..... Petitioners

versus

SOUTH DELHI MUNICIPAL CORPORATION & ORS ..... Respondents

Through: Ms. Yoothika Pallavi, Advocate for respondent Nos.1 and 2.  
Mr. Manoj Joshi, Advocate for respondent No.3.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

%

10.07.2014

1. The challenge by means of this petition under Article 227 of the Constitution of India is to the impugned order of the Court below dated 29.10.2013 by which an application under Order 1 Rule 10 of Code of Civil Procedure, 1908 (CPC) has been allowed of One Sh. Hari Ram and he has been impleaded as a defendant in the suit. Sh. Hari Ram claims rights in a plot of 343 sq yds situated in khasra Nos.373, 374, 694/375 of village Kharera, Delhi. The plot in question is said to belong to Kaushalya



Handwritten signature and stamp of the court.

Education Trust, No.4, Kaushalya Park, Hauz Khas, New Delhi of which the applicant Sh. Hari Ram is said to be the attorney holder.

2. Before me, counsel for the petitioners/plaintiffs agrees that the petitioners/plaintiffs do not claim any right, title and interest in the plot owned by the trust of which Sh. Hari Ram is the attorney.

3. In view of the above, it is agreed that the impugned order is set aside and the petitioners will claim no right, title and interest or possession in the aforementioned land of the Kaushalya Education Trust. To avoid any confusion it is agreed that the concerned Tehsildar of village Kharera will prepare the demarcation report of the land of Kaushalya Education Trust by the total station method. The charges for preparing the demarcation report is to be equally borne and deposited by the petitioners/plaintiffs and Kaushalya Education Trust in equal shares. The charges with respect to preparation of the demarcation report be deposited by each of the parties so far as their half shares are concerned, within a period of four weeks from today and within a period of six weeks thereafter the revenue officials will prepare the demarcation report demarcating the property of Kaushalya Education Trust comprising of 343 sq yds to which the petitioners/plaintiffs claims no right.

C.M.(M) No.1332/2013

page 2 of 3



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4. In case after the demarcation is done and report prepared, if any disputes survives, any of the parties are at liberty to approach the competent Court of law by filing appropriate independent proceedings.

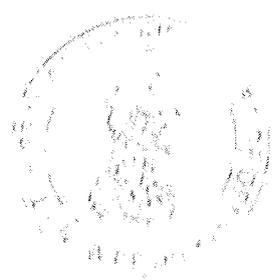
5. Petition is disposed of with the aforesaid observations, leaving the parties to bear their own costs.

VALMIKI J. MEHTA, J

JULY 10, 2014  
Ne

C.M.(M) No.1332/2013

page 3 of 3



VALMIKI J. MEHTA, J  
JULY 10 2014

IN THE HIGH COURT OF DELHI AT NEW DELHI

CM(M) 1332/2013 and C.M. No.19806/2013 (stay)

SHAN MOHD and ORS

..... Petitioners

Through: Mr. O.P. Verma, Advocate.

versus

SOUTH DELHI MUNICIPAL CORPORATION and ORS

..... Respondents

Through: Ms. Yoothika Pallavi, Advocate for respondent Nos.1 and 2.

Mr. Manoj Joshi, Advocate for respondent No.3.

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

10.07.2014

1. The challenge by means of this petition under Article 227 of the Constitution of India is to the impugned order of the Court below dated 29.10.2013 by which an application under Order 1 Rule 10 of Code of Civil Procedure, 1908 (CPC) has been allowed of One Sh. Hari Ram and he has been impleaded as a defendant in the suit. Sh. Hari Ram claims rights in a plot of 343 sq yds situated in khasra Nos.373, 374, 694/375 of village Kharera, Delhi. The plot in question is said to belong to Kaushalya

Education Trust, No.4, Kaushalya Park, Hauz Khas, New Delhi of which the applicant Sh. Hari Ram is said to be the attorney holder.

2. Before me, counsel for the petitioners/plaintiffs agrees that the petitioners/plaintiffs do not claim any right, title and interest in the plot owned by the trust of which Sh. Hari Ram is the attorney.

3. In view of the above, it is agreed that the impugned order is set aside and the petitioners will claim no right, title and interest or possession in the aforementioned land of the Kaushalya Education Trust. To avoid any confusion it is agreed that the concerned Tehsildar of village Kharera will prepare the demarcation report of the land of Kaushalya Education Trust by the total station method. The charges for preparing the demarcation report is to be equally borne and deposited by the petitioners/plaintiffs and Kaushalya Education Trust in equal shares. The charges with respect to preparation of the demarcation report be deposited by each of the parties so far as their half shares are concerned, within a period of four weeks from today and within a period of six weeks thereafter the revenue officials will prepare the demarcation report demarcating the property of Kaushalya Education Trust comprising of 343 sq yds to which the petitioners/plaintiffs claims no right.

C.M.(M) No.1332/2013 page 2 of 3

4. In case after the demarcation is done and report prepared, if any disputes survives, any of the parties are at liberty to approach the competent Court of law by filing appropriate independent proceedings.

5. Petition is disposed of with the aforesaid observations, leaving the parties to bear their own costs.

VALMIKI J. MEHTA, J

JULY 10, 2014

C.M.(M) No.1332/2013 page 3 of 3

**VAKALATNAMA**

BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 905 OF 2024

IN THE MATTER OF:

VARUN TODI

..APPLICANT

VERSUS

MUNICIPAL CORPORATION OF DELHI & ORS...RESPONDENTS

KNOW ALL to whom these present shall come that I/we, I, Shan Mohd S/o Late Khan Bahadur R/o 16-17, Kaushalya Park, Hauz Khas, Delhi - 110016 (THE RESPONDENT NO. 2 HEREIN), do hereby appoint and authorize: -

**SANJEEV KUMAR SHARMA** {En No. D/1462-A/2000}, **RAJIV DALAL** (En. D/1632/2009), **DIPTI SINGH ARYA** (En D/1520/2007), , **VARUN KESHARWANI** (En D/10361/2025 )Advocate/s at: -

**"D & S LAW OFFICES"**

Chamber No. S- 224, Delhi High Court, New Delhi - 110003

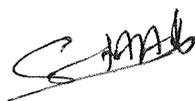
OFF.: B - 10, 2<sup>nd</sup> FLOOR, JANGPURA EXTENSION,

NEW DELHI – 110014

E-mail: [rajiv@dslawoffices.in](mailto:rajiv@dslawoffices.in), [contact@dslawoffices.in](mailto:contact@dslawoffices.in)

(Herein after called the **advocate/s**) to be my/our Advocate in the above noted case authorize him/ them:-

1. 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.
2. 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 subject to payment of fees for each stage.
3. To file and take documents, to admit and/or deny the documents of opposite party.
4. To withdraw 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.
5. To take execution proceedings.
6. To deposit, draw and receive monthly cheques, cash and grant receipts thereof 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.
7. 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.



8. And I/We the undersigned do hereby agree to rectify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and proposes.

9. And I/We undertake that I or my duly authorised agent would appear in Court on all hearings and will inform the Advocate for appearance when the case is called.

10. And I/We the undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case.

11. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself.

12. And I/We the undersigned to 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.

IN WITNESS WHEREOF, I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this 28<sup>th</sup> day of October, 2025.

ACCEPTED SUBJECT TO THE TERMS OF THE FEES

ADVOCATE/S

CLIENT

*STARK*

*D/162/09*  
*D/1462-2/2000*  
*Order*  
*Patna*  
*D/12948/25*

