

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,  
NEW DELHI

ORIGINAL APPLICATION No. 573 of 2025

IN THE MATTER OF:-

Narender Singh Rathore & Others

.... Applicants.

Versus

Himachal Pradesh Public Works Departments & Ors.

.....Respondents.

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*Amrind*  
FILED THROUGH  
COUNSEL FOR THE RESPONDENTS No. 2b

Secretary (Horticulture)  
to the Govt. of H.P.

*Anil Jaryal*

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Dated: . 16-5 .2026

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,  
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ORIGINAL APPLICATION No. 573 of 2025

**IN THE MATTER OF:-**

Narender Singh Rathore & Others

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**REPLY ON BEHALF OF RESPONDENT NO. 2(B)**

**DEPARTMENT OF HORTICULTURE AND AGRICULTURE**

**MOST RESPECTFULLY SHOWETH:**

1. That the contents of this para are admitted to the extent that the applicant No.1 & 2 are the local inhabitants of Mohal Jungle Mehfuza Mehduda, Mashobra, Tehsil Shimla ( Rural) District Shimla, Himachal Pradesh. The land of the applicants comprises Khasra No.s 157/1,195/1,158/1,160/1, 163/1/1 and 163/2/1 area measuring 0.90.12 hectares situated at Mohal Jungle Mehfuza Mehduda, Mashobra. Rest of the contents pertain to the executing agency i.e respondent No.6 and the concessionaire i.e respondent No.7 and 8 respectively.
2. 2 & 3 That the contents of these paras are admitted being a matter of record.
3. 4 & 5 That the contents of these paras call for no submissions on behalf the replying respondent.
4. 6&7 That the contents of these paras are denied for want of knowledge.

  
Secretary (Horticulture)  
to the Govt. of H.P.

ATTESTED  
  
Oath Commissioner  
H.P. High Court, Shimla

5. 8&9 That the contents of these paras pertain to respondent No.6 to 8, hence no submissions on behalf of the replying respondent.
6. 10.1 That the contents of these paras pertain to respondent No. 7 & 8, hence, no submissions on behalf of the replying respondent.
7. 10.2 & 10.3:- That the contents of these paras pertain to respondents No. 6 to 8, hence no submissions on behalf of the replying respondent.
8. 11.1 to 11.2:- That the contents of these paras 11.1 to 11.2 pertain to the respondents No. 6 to 8, hence no submissions are called for on behalf of the replying respondent.
9. 12. That the contents of this para call for no submissions.
- 10.13. That the contents of this para pertain to respondents No. 6 and 8, hence no submissions on behalf of the replying respondent.
- 11.14.1:- That the contents of this para are admitted being a matter of record.
- 12.14.2:- That the contents of this para call for no submissions.
- 13.15 & 16:- That the contents of these paras pertain to the respondents No. 6 to 8, hence no submissions are called for on behalf of the replying respondent.
- 14.17 & 18:- That the contents of these paras call for no submissions on behalf of replying respondent.
- 15.19 & 20:- That the contents of these paras pertain to respondents No. 6 to 8, hence no submissions are called for from the replying respondent.
- 16.21.1 & 21.2 That the contents of these paras are admitted to the extent that the replying respondent ((Department of Horticulture) carried out the survey of the affected orchard land to assess the extent of loss and damage to the trees. Further, it is submitted that in compliance to the letter of the Competent Authority for Land Acquisition- cum-SDO(C) Shimla No. SIM/NT/NHAI/2025-189 dated 30.05.2025, the Horticulture Development Officer, Mashobra inspected the spot i.e. Khasra no. 157 situated in Mohal Jungle Mehfuza Mehduda, Mashobra on 10.06.2025.

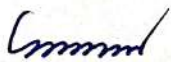
*Command*  
Secretary (Horticulture)  
to the Govt. of H.P.

ATTESTED


Oath Commissioner  
High Court, Shimla

During the inspection, the value of damaged fruit plants was assessed in accordance with the Government-approved Harbans Singh Formula. The report was submitted vide letter no. DDH(S) 5-2/2023(EVOL)-572 dated 28-06-2025. That as per the report, a total of 110 plants were damaged, and the loss was assessed to the tune of Rs. 7, 65,650.60/-. The report has already been annexed as Annexure-P-14.

17.21.3 That in reply to this para, it is submitted that thereafter, a letter was again received from the Competent Authority for Land Acquisition- cum- SDO (C) Shimla No. SDS-NT/NHAI/2025-286 dated 09.07.2025. It was mentioned that crate wall has again collapsed and has further damaged the remaining Apple and other fruit trees grown in Khasra no. 157 and requested to submit the fresh evaluation report w.r.t. the above said land. The Horticulture Development Officer, Mashobra again inspected the spot i.e. Khasra No. 157 situated in Mohal Jungle Mehfuza Mehduda, Mashobra on 17.07.2025 along with concerned revenue officer and owner of the land. During the inspection, the value of the fruit plants was assessed in accordance with the Government-approved Harbans Singh Formula. The Revenue Officer has also submitted a report stating that there was a high-density plantation along with some old plants at the site. A total of 440 plants were reported, out of which 400 plants were of high-density plants and 40 Royal apple plants, which were buried under the debris and were totally damaged. Thereafter, the Assessment was carried out by the Horticulture Development Officer, Mashobra and the report was submitted to the Competent Authority for Land Acquisition-cum- SDO (C) Shimla vide letter no. DDH(S) 5-2/2023- (EVOL)-819 dated 24-07-2025. That as per the report, a total of 440 plants were damaged, and the loss was assessed to the tune of Rs. 32, 31,452/- /-. The report has already been annexed as Annexure-P-15.

  
Secretary (Horticulture)  
to the Govt. of H.P.

ATTESTED

  
Oath Commissioner  
H.P. High Court, Shimla

18.20.1.1 That in reply to this para it submitted that the first assessment report was submitted vide letter no. DDH(S) 5- 2/2023(EVOL)-572 dated 28-06-2025. As per the report, a total of 110 plants were damaged, and the loss was assessed to the tune of Rs. 7, 65,650.60/-. The value of the fruit plants was assessed in accordance with the Government approved Harbans Singh Formula.

19.20.1.2. That in reply to this para, it is submitted that the second Assessment report was submitted to the Competent Authority for Land Acquisition- cum- SDO (C) Shimla vide letter no. DDH(S)5-2/2023-(EVOL)-819 dated 24-07-2025. That as per the report, a total of 440 plants were damaged, and the loss was assessed to the tune of Rs. 32, 31,452/-. The value of the fruit plants was assessed in accordance with the Government-approved Harbans Singh Formula.

20.21.4 That in reply to this para, it is submitted that the first and second survey was conducted by the HDO Mashobra who submitted the report to the quarter concerned. The value of the fruit plants was assessed in accordance with the Government-approved Harbans Singh Formula. In total, combining both assessment reports, 550 plants were reported damaged and the total value of these damaged plants was assessed to the tune of Rs. 39, 97,102.60/-

21.21.5. That the contents of this para call for no submission on behalf of replying respondent as the same pertains to respondent no. 6.

22.22&23 That the contents of these paras pertains to NHAI and concessionaire i.e respondents No. 6 to 8, hence, call for no submissions on behalf of the replying respondent.

23.24.1 to 24.4 That the contents of these paras call for no submissions on behalf of the replying respondent.

24.24.4.1 to 24.7:- That the contents of these paras pertain to respondents no. 6 to 8, hence call for no submissions on behalf of the replying respondent.

Secretary (Horticulture)  
to the Govt. of H.P.

ATTESTED  
Oath Commis.  
H.P. High Court, Shimla

25.25 That the contents of this para need no submissions on behalf of the replying respondent.

26.26:- That the contents of this para have been replied to in paras 2 to 16 supra, which are not being reiterated for the sake of brevity.


27.27 & 28:- That the contents of these paras do not require any submissions on behalf of the replying respondent.

28.29 That in reply to this para it is humbly submitted that the applicants haven't exhausted the efficacious remedy available to them under the law.

29.30 That the contents of this para are denied for want of knowledge.

30.31 & 32:- That the contents of these paras do not require any submissions on behalf of the replying respondent.

31.33:- That in reply to this para it is respectfully submitted that in case the present application is not entertained by this Hon'ble Tribunal no prejudice shall be caused to the applicants, as all the safety measures will be taken to prevent damage to the property.

  
Secy. (Hort.) to the  
Government of H.P.  
Secretary (Horticulture)  
to the Govt. of H.P.

FILED THROUGH  
COUNSEL FOR THE RESPONDENTS No. 2b



**ANIL JARYAL**  
Chamber No.109, Block-03  
Delhi High Court.  
Email: [aniljaryal07@gmail.com](mailto:aniljaryal07@gmail.com)

Dated: 16-5.2026

**ANESTEL**  
  
Oath Commissioner,  
Delhi High Court, Shimla

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH,  
NEW DELHI

ORIGINAL APPLICATION No. 573 of 2025

IN THE MATTER OF:-

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.... Applicants.

Versus

Himachal Pradesh Public Works Departments & Ors.

.....Respondents.

AFFIDAVIT

I, C Paulrasu , IAS S/o Sh. V. Chellamuth, aged 47 years, presently working as Secretary (Horticulture) to the Govt. of Himachal Pradesh, Shimla-2, do hereby solemnly affirm and state as under: -

1. That the accompanying reply to the Original Application has been prepared at my instance. I am fully conversant with the facts of the case and it bears my signature.
2. That the contents of para 1 to 33 of the reply to the Original Application are true and correct to the best of my knowledge and belief as derived from the official record. No part of it is, false and nothing material has been concealed therein.
3. That the contents of para 1 & 2 of this affidavit are also true and correct to the best of my knowledge and belief and nothing material has been concealed therein.

*Identified by*

OATH COMMISSIONER  
H.P. High Court, Shimla

*Deponent*  
Deponent  
Secretary (Horticulture)  
to the Govt. of H.P.

Verification:-

That the deponent further declares that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing has been concealed there from.

Verified at Shimla this 16th day of May, 2026  
on solemn affirmation on this 16th day of May 2026 at Shimla  
In the District of Shimla by Sh. C Paulrasu  
He was identified by Sh. Sankar Chel  
The contents of the above affidavit have been read over & explained to the deponent in vernacular language and he admitted them to be correct and true at the time of making thereof  
16-5-26  
Oath Commissioner  
H.P. High Court Shimla

All Cuttings, Corrections & Additions are attested by me 16-5-26  
Oath Commissioner

*Deponent*  
Deponent  
Secretary (Horticulture)  
to the Govt. of H.P.

IN THE COURT OF Before the National Green Tribunal, Principal Bench, ND  
Suit/Appeal No. O.A No.573/2025 JURISDICTION OF 201

In re:-  
Narender Singh Rathore & ors Plaintiff(s) or Petitioner(s)  
Appellant(s) Complainant(s)

VERSUS  
The State of H.P & ors Defendant (s)/ Respondent(s) / Accused Know all to whom  
these Present shall come that I/we C. Paulrasu, S/o V. Chellamuth aged about 47, presently posted as  
secretary, Horticulture Dept. HP

The above named Respondent No. 2b

.....do hereby appoint  
Anil Jaryal, Adv, D/3587/16  
chamber no. 109, block 3, DHC,  
#9871277207

(herein after called the advocate/s) to be my / our Advocate in the above – noted case authorize 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-objection 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 withdraw or compromise the said case or submit to arbitration any differences of disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings on paying separate fee.

To 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 on the said case.

To appoint and instruct any other Legal Practitioner authorizing 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 undersigned to hereby agree to ratify 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 purpose.

And I/we undertake that I/We or my/our duly authorized 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 or 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 settle 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 prolongs 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 15/05/2026 Day of .....201 Accepted subject to the terms of the fees.

Advocate  
Anil Jaryal, D/3587/16



I Identify the Signature/Thumb Impression of Below Member of Bar,

Client  
Secretary (Horticulture)  
to the Govt of HP,  
Client

Signed in My Presence. The Client.

