

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL  
BENCH, NEW DELHI

O.A. NO.391 OF 2022

**IN THE MATTER OF:-**

Brigadier Paramjit Singh & Ors.

.....Applicants

VERSUS

State of Haryana & ORS.

.....Respondents

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FILED BY:-



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PLACE: NEW DELHI  
DATED: 19.11.2022



question situated in Sector-41, Gurugram which was amended vide memo No. Chief Town Planner/AM/213853 dated 26.10.2018. As per the approved plan in the land in question, there was planned for 02 nos commercial complex site measuring 6751.85 sq mtrs. and 4325 sq mtr. and 1 number multiplex GH site measuring 4000 sq mtrs. A copy of the plan is attached as Annexure R-3/I.

5. That the answering respondents amended its layout plan of the land in question, vide memo No. 47921 dated 28.03.2022 wherein 5 numbers showroom (15 x30 m), 4 number showroom (20 x 30 m) and 1 number commercial complex site measuring 6740.58 sq mtrs was planned in lieu of earlier planned commercial area. A copy of the letter dated 28.03.2022 alongwith approved layout plan is attached as **Annexure R-3/I**.
6. That it is respectfully submitted that the site for water body is not affected by the re-planning of the already planned commercial area and the water body was kept intact. Thus, no cause of action has arisen against the answering respondent and the present application is liable to be dismissed on this ground only.
7. That the petitioner has therefore not come to the court with clear hands and has suppressed material facts with regard to the planning and location of the land. The answering respondents are the owners of the land and are competent under section 15 of the HSVP Act read with



Haryana Shehri Vikas Pradhikaran (Disposal of Land and Building) regulations 1978 to dispose of its land.

8. That in regard to the issue in respect of water body being used as dumping yard for construction debris and waste by unknown people, the same pertains to Respondent no. 2 i.e Municipal Corporation of Gurugram and the answering Respondent has already sent a communication bearing Memo no. 6359 dated 02.08.2022 to the Commissioner, Municipal Corporation, Gurugram to direct the concerned officer to clear the site at the earliest. A copy of Memo no. 6359 dated 02.08.2022 is annexed herewith as ANNEXURE R3/2.
9. In view of the above stated facts and circumstances, nothing survives in the present OA against the answering Respondent no.3 with cost and the same is liable to be dismissed qua Answering respondent no.3.

Date: 10/11/2022  
Place: Gurugram



Administrator, HSVP, Gurugram  
For and On behalf of Respondent No.3

Through



Adv. Noopur Singhal  
Counsel for Respondent no.3

BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL  
BENCH AT NEW DELHI  
O.A. No. 391/ 2022

IN THE MATTER OF:

Brigadier Paramjit Singh & Ors. ...Applicants

Versus

State of Haryana &Ors. ....Respondents

**AFFIDAVIT**

I, Jaspreet Kaur, aged about 37 years working as Administrator, HSVP, Gurugram, do hereby solemnly affirm and state as under:

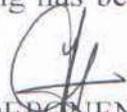
1. That I am the authorized representative of Respondent no.3 and in my official capacity as stated above, I am well conversant with the facts and circumstances of the present matter and am capable to state as under.
2. That the accompanying short reply has been drafted on my instructions I have read and understood the contents of the reply filed. The facts stated therein are true and correct to the best of my knowledge.



VERIFICATION:

Verified on 10<sup>th</sup> day of November, 2022 at Gurugram that the contents of para No.1 & 2 of my affidavit are true and correct based on the information derived from the official record which I believe to be correct. No part of it is false and nothing has been concealed therein.

  
DEPONENT  
Administrator  
HSVP, Gurugram

  
DEPONENT  
Administrator  
HSVP, Gurugram

  
Executive Magistrate  
GURUGRAM

To : The Administrator,  
 HSVP, Gurugram .

Subject: Memo no. CTP/DTP(G)/SB/ 47921 Dated: 28/3/22  
 Part revised Layout Plan of Sector-41, Gurugram.

It is intimated that as per discussion with CA, HSVP, the layout-cum-Demarcation Plan of Sector-41, Gurugram has been re-planned in this office. Part revised layout plan of Sector-41, Gurugram showing the 5 showrooms three storeyed with basement (15x30.0M), 4 Showrooms three storeyed with basement (20x30.0M) and 1 no. Commercial Complex site measuring 6740.58 sqm has been approved by Chief Administrator, HSVP. A copy of approved plan is enclosed for ready reference.

It is also requested to get the approved Layout Plan demarcated at site, and discrepancy/amendment, if any, viz-a-viz encroachment, License, litigation, HT line, Gas Pipelines, PLPA, Aravail notification or any other services passing underneath the approved site is found, the same may be immediately brought to the notice of this office. In case the site is found free from encumbrances, the Demarcation and Zoning Plan of approved sites may be got finalized and send to this office for approval of competent authority.

DA/As above.

  
 (Gunjan Verma, DTP)  
 for Chief Town Planner, HSVP

Endst. No. CTP/DTP(G)/SB/ 47 929, 30, 31, 33 Dated: 28/3/22

A copy along with a copy of approved part revised Layout Plan of Sector-41, Gurugram is forwarded to the following for information and necessary action.

1. The CITO, HSVP, Panchkula.
2. The District Town Planner, Gurugram with the request to incorporate the approved layout plan in the overall layout plan of Sector-41, Gurugram and thereafter its copies may be circulated to all the concerned offices including this office. The Demarcation and Zoning Plan of approved sites of Sector-41, Gurugram may be finalized at the earliest.
3. The Estate Officer-II, HSVP, Gurugram.
4. The Estate officer, E-auction wing HSVP, Panchkula with a request that any action w.r.t. auction of approved sites shall be taken only after receiving Confirmation/Demarcation Plan/Zoning Plan/report from concerned Estate Officer, HSVP, Gurugram.

DA/ As above

  
 (Gunjan Verma, DTP)  
 for Chief Town Planner, HSVP



From

Estate Officer-II  
HSVP, Gurugram.

To

The Commissioner  
Municipal Corporation  
Gurugram

Memo No. 6359

Dated: 02/8/22

**Subject: OA No. 391 of 2022 titled as Brigadier Paramjit Singh and ors Vs State of Haryana and ors (Sector 41, Gurugram).**

Kindly refer on the subject noted above.

In this regard, it is submitted that Original Application No. 391 of 2022 titled as Brigadier Paramjit Singh and ors Vs State of Haryana and ors has been filed before the Hon'ble National Green Tribunal, New Delhi on the ground that HSVP land measuring 1.5 acre approximate of water body near Commercial Complex No. 1 in sector 41 Gurugram is being used as dumping yard for construction debris and other waste. The Municipal Corporation of Gurugram is also respondents in this case. The site of water body has been visited by the staff of Survey Branch of this office and found that the said land is being used for dumping yard for construction debris and waste by unknown person.

In view of the above, it is requested to direct the concerned officer to clear the land from dumping yard at the earliest under intimation to this office.

d/c  
Estate Officer-II  
HSVP, Gurugram  
A

## BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL BENCH AT NEW DELHI

Original Application No. 391 of 2022

IN THE MATTER OF

Brigadier Paramjit Singh

....Appellant (s)

Versus

State of Haryana and Ors.

....Respondent

VAKALATNAMA

I, Jaspreet Kaur, Administrator, HSVP, Gurugram Petitioner (s) Appellant (s) Respondent (s) in the above Suit/Appeal/Petition/Reference/Review Petition do hereby appoint and retain. Advocate on Record, Government of Haryana to act and appear for me/us in the above Suit/Petition/Appeal and on my/our behalf to conduct and prosecute (or defend) or withdraw the same and all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceedings in taxation and application for Review to file and obtain, return of documents and to deposit and receive money on my/our behalf in the above Suit/Petition/Appeal and application for Review, and to represent me/us and to take all necessary steps on my/our behalf in the above matter. I/We agree to ratify all acts done by the aforesaid Advocates, in pursuance of this authority.

Dated this the 10<sup>th</sup> day of November 2022.

ACCEPTED-

Noopur Singh  
 ADVOCATE,  
 0/842/2007  
 9312765888  
 noopur4@gmail.com

[Signature]  
 Administrator  
 HSVP, Gurugram  
 PETITIONER(s)/APPELLANT (s)  
 RESPONDENT(s)/CAVEATOR(s)

MEMO OF APPEARANCE

To,

The Registrar,  
National Green Tribunal  
 New Delhi - 110001.

Sir,

Kindly enter my appearance in the above mentioned Petition / Appeal / Reference / Review made on behalf of the petitioner(s).

New Delhi

Dated: 10/11/2022

[Signature]  
 Advocate for the petitioner(s)  
 Respondent (s) / Appellant (s)

