

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 659 OF 2025**

IN THE MATTER OF:

Gaurav Saluja

... Applicant

Versus

DFO Gurugram & Ors

... Respondents

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RESPONDENT NO. 5 & 6

Place : Gurugram

Date : 14.03.2026

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**REPLY TO APPLICATION UNDER SECTIONS 14, 15 & 18 OF
THE NATIONAL GREEN TRIBUNAL ACT, 2010 ON BEHALF OF
RESPONDENT NO. 5 & 6.**

RESPECTFULLY SHOWETH:-

PRELIMINARY SUBMISSIONS:

That without prejudice to the foregoing submissions, it is respectfully submitted that Respondent No. 6, Mr. Ajay Goel, ceased to hold the position of General Secretary of the Apartment Owners Association on 15.06.2025 and has not been functioning in any executive or operational capacity in the Association thereafter. Consequently, any allegations pertaining to events subsequent to the said date cannot, in any event, be attributed to him. The attempt to fasten continuing or prospective liability upon Respondent No. 6 despite cessation of office is misconceived and legally unsustainable. The Copy of his resignation letter via email dated 15.06.2025 is annexed herein as **Annexure-R1**.

PRELIMINARY OBJECTIONS:

1. That the present Original Application, insofar as it seeks to fasten liability upon Respondent Nos. 5 and 6, is misconceived and not maintainable. The Applicant has attempted to attribute personal and institutional liability to the office bearers of the Apartment Owners

Association (AOA) without pleading any specific illegal act, authorisation, or direct involvement on their part. Routine management of common areas in a group housing society is an institutional function, and in the absence of any mala fide intent or demonstrable unlawful act, individual office bearers cannot be proceeded against. The Applicant has failed to plead any specific overt act attributable individually to Respondent Nos. 5 and 6.

2. That the Applicant has failed to disclose the material fact that during the relevant period, including February 2025, the operation and maintenance of ATS Kocoon Society, including horticulture, landscaping and ground maintenance, was under the operational control of the builder-appointed facility management agency, namely ATS Maintenance Services Pvt. Ltd. (hereinafter to be referred as "ATSMSPL"). The formal handover of maintenance responsibilities to the AOA occurred only subsequently pursuant to the Handover/Takeover arrangement executed in May 2025. The copy of the confirmation letter dated 03.06.2025 is annexed herein as **Annexure-R2**. Consequently, any routine horticultural or field activity prior thereto fell within the domain of ATSMSPL and not the answering Respondents. The non-impleadment of ATSMSPL renders the present Application defective for non-joinder of a necessary party and reflects lack of full and candid disclosure.
3. That the Applicant has sought to mischaracterize routine horticultural and safety-related maintenance activities as acts of illegal tree felling. It is submitted that any limited trimming, removal of dead/dried vegetation, or safety-driven horticultural action, if undertaken at any stage, was in the ordinary course of maintenance

of the society premises and without any intent to damage the environment. The Original Application fails to distinguish between prohibited felling of healthy trees and permissible maintenance of dead, damaged, hazardous or obstructive vegetation. The allegations are therefore misconceived and liable to be rejected. In fact, as borne out from the Facility Manager's factual report via email dated 16.02.2026, the copy of which is annexed herein as **Annexure-R3**, the small flowery tree near the badminton court had collapsed during a storm event and subsequently posed electrical safety hazards, necessitating intervention from a maintenance and public safety perspective.

4. That the answering Respondents categorically deny having ordered or carried out any illegal felling of trees. Significantly, despite the Applicant's complaints and site visit by the Forest authorities, no show-cause notice, penal proceedings or coercive action has been initiated against Respondent Nos. 5 and 6. The absence of any statutory action by the competent authority itself demonstrates that no prima facie environmental violation attributable to the answering Respondents has been established. The Application is therefore based on unverified allegations and is liable to be dismissed.
5. That without prejudice, it is submitted that the attempt to fasten personal liability upon Respondent Nos. 5 and 6 is legally unsustainable in the absence of specific allegations demonstrating their direct and personal involvement in the alleged acts. The Hon'ble Supreme Court has reiterated that there is no vicarious liability in penal statutes unless specifically provided and mere holding of a supervisory or managerial position is insufficient to

attract liability in the absence of specific role attribution. The present Application is conspicuously silent on any concrete act personally attributable to the answering Respondents and is liable to be rejected on this ground alone.

6. That substantial portions of the Original Application are founded on conjecture, suspicion and speculative assertions, including allegations of conspiracy, chemical damage and systematic environmental harm. The Applicant has placed no scientific report, arborist opinion, laboratory analysis or independent expert material to substantiate these serious allegations. It is respectfully submitted that the jurisdiction of this Hon'ble Tribunal cannot be invoked on mere apprehensions or resident disputes given an environmental colour. The answering Respondents, acting through the Association, have at all times acted bona fide in the interest of maintenance and preservation of the society premises.
7. That the principal allegations of the Applicant originate from February 2025. The plea of continuing cause of action is misconceived in the absence of any demonstrated subsisting environmental violation attributable to the answering Respondents. The present Application is therefore liable to be examined on the touchstone of limitation under Section 14(3) of the National Green Tribunal Act, 2010.
8. That without prejudice to the above, it is further submitted that the Applicant himself is facing criminal proceedings arising out of an incident involving assault upon Respondent No. 6, Mr. Ajay Goel, who is a person with benchmark disability exceeding 60% (AIIMS-certified), and the present impleadment, following the registration of

FIR No. 096/2025 against the Applicant for assaulting Responding No. 6, constitutes revictimization of a disabled person through abuse of legal process. The said case is presently pending before the competent court. The existence of such proceedings provides important context to the adversarial conduct of the Applicant and the repeated complaints being filed against the answering Respondents. In these circumstances, the present Application appears motivated and deserves to be viewed with caution while examining the maintainability and merits of the allegations made therein.

9. That without prejudice to the joint submissions above, Respondent No. 5, Wg. Cdr. P.P. Singh (Retd.), submits that the present Original Application must be viewed in the context of an ongoing campaign of harassment by the Applicant against the elected leadership of the AOA. The Applicant is an enrolled Advocate (Bar Council of Haryana) and the spouse of Smt. Rashi Saluja, who served as the first President of the AOA. Upon the change in leadership, Respondent No. 5 was duly elected as President, and his appointment was validated by the District Registrar, Gurugram. Since then, the Applicant has filed multiple complaints and proceedings before diverse authorities and forums, consistently naming Respondent Nos. 5, on substantially overlapping allegations without any fresh cause of action. The present OA is a continuation of this pattern. Such conduct reflects a misuse of legal process and causes unwarranted harassment and hardship to the answering Respondents rather than serving any bona fide environmental concern. The attempt to fasten personal liability and seek personal compensation from his personal funds, on speculative allegations,

with suppression of material facts including ATSMSPL's exclusive operational control and the gazette exemption of Bakain, is oppressive, vexatious, and constitutes abuse of process warranting exemplary costs.

PARA-WISE REPLY:

- 1.1. That the contents of Para 1.1 are wrong and denied. It is admitted to the extent that the Applicant is a resident of flat no. 6052, ATS Kocoon Society, Sector-109, Gurugram, Haryana. It is denied that inside the society's common green area, two fully grown of age more than 10-year-old Bakain trees, each approximately 14 & 15 inches in diameter respectively, were brutally and illegally felled without any permission, and without any statutory approval, as alleged. It is submitted that the said alleged averment is based on the Applicant's unilateral assumptions and does not reflect the correct factual position. During the relevant period, the operation and maintenance of the society, including horticulture and landscaping activities, were under the control of the builder-appointed facility management agency, namely ATS Maintenance Services Pvt. Ltd. (ATSMSPL). The answering Respondents, being office bearers of the Apartment Owners Association, did not exercise independent operational control over such on-ground activities at the material time. It is further submitted that no unauthorised or deliberate environmental damage was carried out by or under the directions of the answering Respondents, and the allegation of illegal felling is misconceived and denied.
- 1.2. That the contents of Para 1.2 are wrong and denied. It is admitted to the limited extent that the society contains designated green areas

forming part of the group housing development. It is denied that these trees were part of the original green and arboriculture development of the group housing project of 444 flats and had existed for more than a decade, contributing significantly to the environmental balance, shade, biodiversity, and air purification inside the society, as alleged. It is submitted that the Applicant has made broad and unsubstantiated assertions without placing any technical record or expert material to establish the age, condition, or ecological status of the trees in question. It is further submitted that any limited trimming or removal of dead/damaged vegetation, if undertaken at any stage, was in the ordinary course of routine maintenance and safety management of the premises and not with any intent to cause environmental harm. During the relevant period, maintenance operations were under the builder-appointed facility management agency, ATSMSPL, and the answering Respondents had no independent operational role in the alleged acts. The allegations are therefore denied and the Applicant be put to strict proof thereof.

- 2.1 That the contents of Para 2.1 are wrong and denied. It is denied that the two trees were cut down without obtaining prior permission from the Forest Department (Respondent no. 1) and Municipal Corporation of Gurugram (Respondent no. 2), as alleged. It is submitted that no illegal tree felling was carried out by or at the instance of Respondent Nos. 5 and 6. During the relevant period, maintenance and horticultural activities within the society were under the control of the builder-appointed facility management agency, ATSMSPL, and the answering Respondents did not

exercise independent operational control over such on-ground activities. It is submitted that the Applicant has made bald assertions without any official determination establishing violation attributable to the answering Respondents. Without prejudice, any limited trimming or removal of dead/damaged vegetation, if undertaken at any stage, was in the ordinary course of routine maintenance and safety management. Significantly, the competent Forest authorities visited the site and did not initiate any penal proceedings against Respondent Nos. 5 and 6. The Applicant be put to strict proof of the averments made herein.

- 2.2 That the contents of Para 2.2 are wrong and denied. It is vehemently denied that the AOA President (Respondent no. 5) and General Secretary (Respondent no. 6) ordered the cutting of these two green and healthy trees even though the trees were part of Green Belt situated in the common area of the condominium ATS KOCOON, Sector-109, Gurugram, Haryana, not any private area belonging to any apartment in the condominium, as alleged. It is submitted that no such directions were ever issued by the answering Respondents. The allegation is based on conjecture and is unsupported by any contemporaneous record, resolution, written instruction or independent verification. It is submitted that routine horticultural and safety-related maintenance within common areas is carried out through the facility management system in the ordinary course of upkeep of the society premises.

It is specifically denied that any proposal for cutting trees or making structural alterations in the common areas must first obtain the consent of the majority of the owners through a valid resolution and

thereafter secure requisite permissions from the competent statutory authorities and that in the present case both these requirements were completely absent, as alleged against the answering Respondents. It is submitted that no illegal felling of healthy trees was undertaken by or at the instance of Respondent Nos. 5 and 6. Without prejudice, any limited trimming or handling of dead/damaged vegetation, if undertaken at any stage, was part of routine maintenance and safety management and not a case of prohibited tree felling.

It is further submitted that during the relevant period, maintenance and horticultural operations were under the control of ATS Maintenance Services Pvt. Ltd. (ATSMSP), and the answering Respondents did not exercise independent operational control over on-ground execution of such activities. The allegations are therefore misconceived and denied, and the Applicant is put to strict proof thereof.

- 2.3 That the contents of Para 2.3 are legal facts. The contents of Para 2.3 refer to various statutory provisions whose applicability to the facts of the present case is specifically denied insofar as the answering Respondents are concerned. It is further submitted that the Applicant has incorrectly referred to a "Haryana Preservation of Trees Act, 1972". The regulatory framework governing tree protection and felling in the State of Haryana primarily operates through the Punjab Land Preservation Act, 1900 (as applicable to Haryana), municipal regulations and executive guidelines issued by the competent authorities. The Applicant has therefore mischaracterised the statutory position without establishing any specific violation attributable to Respondent Nos. 5 and 6.

- 2.4 That the contents of Para 2.4 are wrong and denied. It is denied that the trees in question were located in the green belt situated in the common area of a group-housing society within the urban limits of NCR, their felling could not have been undertaken by any individual office-bearer of the Apartments Owner Association (AOA) without strict compliance with the governing statutory framework, as alleged. It is respectfully submitted that no illegal felling of healthy trees was ordered or carried out by Respondent Nos. 5 and 6. The Applicant has made sweeping assertions without establishing any specific unlawful act attributable to the answering Respondents. It is denied that "under the Punjab Land Preservation Act, 1900 (as applicable to Haryana) read with the Haryana Municipal Corporation Act, 1994, and the Haryana Forest Department (Tree Felling and Transit) Guidelines, no tree situated on urban land or common areas may be cut without prior permission/NOC from the competent authority... and that unauthorized felling constitutes an environmental offence attracting liability," as alleged in the present factual context. It is submitted that the Applicant has merely reproduced statutory provisions without demonstrating any established violation by Respondent Nos. 5 and 6. No show-cause notice or penal proceedings have been initiated against the answering Respondents by the competent Forest authorities. It is denied that "as per settled law on common areas of group housing societies, any alteration, removal, or destruction of vegetation in common land requires a valid resolution acquired through consent of majority of owners and cannot be done unilaterally by office-bearers," as alleged against the answering

Respondents. It is submitted that no such unilateral action was authorised or executed by Respondent Nos. 5 and 6, and the Applicant has failed to place any material demonstrating violation of the society's governing framework. It is submitted that the Applicant has sought to rely upon the judgment of the Hon'ble Supreme Court in DLF Qutab Enclave Complex Educational Charitable Trust v. State of Haryana, (2003) 5 SCC 622. The said judgment dealt primarily with issues relating to the transfer and utilisation of land earmarked for amenities within a licensed colony and the rights of the developer in that context. The judgment did not concern alleged tree felling within a residential society or routine horticultural maintenance activities. The reliance placed upon the said judgment to suggest that any environmental or horticultural activity within common areas automatically constitutes a violation of law is therefore misplaced and distinguishable on facts.

It is denied that "urban tree felling without permission is per se illegal" in the manner sought to be applied against Respondent Nos. 5 and 6, or that "no urban tree irrespective of species can be felled on private discretion," as alleged in the present factual context. It is submitted that the judgments cited by the Applicant are distinguishable on facts and do not establish any prohibited act by the answering Respondents. It is further submitted that the Applicant has sought to rely upon decisions of the Hon'ble National Green Tribunal in Lalit Kishore v. State of Haryana and Society for Protection of Environment & Biodiversity v. Union of India. The reliance placed upon these judgments is misplaced. The proceedings in Lalit Kishore were in the nature of a broad monitoring matter

concerning municipal solid waste management and restoration of water bodies in the State and did not lay down any specific principle regarding alleged tree felling within residential societies. Likewise, the proceedings in Society for Protection of Environment & Biodiversity concerned the validity of exemptions relating to environmental clearance for building and construction projects and the application of environmental principles such as the precautionary principle and the doctrine of non-regression. The said decisions therefore do not support the proposition advanced by the Applicant that any horticultural activity within a residential society automatically attracts liability under environmental law. The reliance on these judgments is therefore misconceived and distinguishable on facts. With all due respect to *te Applicant, being an enrolled Advocate, it is submitted that he is expected to exercise due diligence in citing authorities before this Hon'ble Tribunal.*

It is denied that "species not being 'exempt' does not create a right to cut" in the manner alleged against the answering Respondents, or that the answering Respondents sought to bypass any obligatory municipal or DFO permissions. It is submitted that the Applicant has selectively interpreted the position regarding species classification. Without prejudice, the condition and nature of the vegetation were matters assessed at site level and the answering Respondents acted bona fide. It is emphatically denied that "any unauthorized felling attracts personal liability... and that responsibility falls personally on the individuals who authorized/caused the act," as alleged against Respondent Nos. 5 and 6.

The Applicant has sought to rely upon a decision described as Citizen Action Group v. Delhi Development Authority (2018) to support the said proposition. It is submitted that the reliance is misplaced. The said proceedings did not lay down any blanket rule imposing automatic personal liability in cases of alleged environmental violations within residential societies. The principles of environmental compensation and accountability under environmental law are applied on the basis of specific findings of violation and identification of the actual violator.

In the present case, no such determination has been made by any competent authority and no specific act of authorization or direction has been attributed to Respondent Nos. 5 and 6. The Applicant has merely reproduced general environmental principles without establishing their applicability to the factual matrix of the present case. The attempt to impose personal liability upon the answering Respondents is therefore premature, legally untenable and denied.

Without prejudice to the above, it is submitted that any limited trimming or removal of dead/damaged vegetation, if undertaken at any stage, was in the ordinary course of routine maintenance and safety management of the society premises and not a case of prohibited tree felling. It is further submitted that during the relevant period, maintenance and horticultural operations were under the control of ATS Maintenance Services Pvt. Ltd. (ATSMSPL), and the answering Respondents did not exercise independent operational control over on-ground execution of such activities. The allegations contained in the present paragraph are therefore misconceived and denied, and the Applicant is put to strict proof thereof. It is settled

law that in the absence of specific statutory provision and concrete role attribution, vicarious liability cannot be mechanically imposed upon office bearers.

- 3.1 That the contents of Para 3.1 are wrong and denied. It is admitted to the limited extent that a Forest Ranger from Respondent No. 1 is stated to have visited the site to enquire into the matter. It is denied that any "illegal tree cutting" attributable to Respondent Nos. 5 and 6 has been established, as alleged. It is submitted that the Applicant has drawn self-serving conclusions from the mere fact of a site visit. The visit of the Forest Ranger did not result in issuance of any show-cause notice, penalty proceedings, or adverse finding against the answering Respondents. It is further submitted that Respondent No. 5 fully cooperated with the authorities, and no material has been placed on record by the Applicant demonstrating any confirmed statutory violation by the answering Respondents. The allegations to the contrary are misconceived and denied, and the Applicant is put to strict proof thereof.
- 3.2 That the contents of Para 3.2 are wrong and denied. It is denied that Respondent No. 5 and Respondent No. 6 made any definitive or misleading claim that "Bakain is an 'exempted species'" in the manner alleged by the Applicant. It is submitted that the Applicant has selectively and inaccurately portrayed the interaction during the site visit. Without prejudice, it is submitted that during the visit of the Forest Ranger, the answering Respondents cooperated fully and any discussion regarding species classification was based on the contemporaneous understanding at site level and was made bona fide without any intent to misrepresent facts or bypass statutory

requirements. It is further submitted that no adverse finding, show-cause notice or penal action has been issued by the competent Forest authorities against Respondent Nos. 5 and 6 pursuant to the said visit, which itself demonstrates that no violation attributable to the answering Respondents was established. The allegations are therefore misconceived and denied, and the Applicant is put to strict proof thereof.

- 3.3 That the contents of Para 3.3 are wrong and denied. It is denied that “as per Government of India Notification No. F. No. 10-2/2020-NRM-SMAF ... Bakain is not an exempted category tree,” as alleged in the sweeping manner sought to be applied against the answering Respondents. It is submitted that the Applicant has selectively relied upon the said Notification without appreciating its scope, context and applicability.

It is submitted that the Notification No. F. No. 10-2/2020-NRM-SMAF relied upon by the Applicant is a status report compiled by the Ministry of Agriculture & Farmers Welfare for the purpose of determining state-wise eligibility under the Sub-Mission on Agroforestry (SMAF) subsidy scheme, which is applicable exclusively to trees grown on agricultural farmland and doesn't automatically override or nullify State level regulatory positions governing tree species and their treatment within local jurisdiction. The said Notification tracks state-level liberalisation of felling and transit regulations for promotion of agro-forestry and does not constitute a regulatory instrument governing tree-cutting prohibition in urban areas. It neither creates nor removes any prohibition on tree felling, and has no regulatory or statutory application to tree

management in an urban group housing society such as ATS Kocoon. The Applicant has failed to demonstrate that the said Notification conclusively governs the factual matrix of the present case or that any binding statutory violation by Respondent Nos. 5 and 6 flows therefrom.

Without prejudice, it is submitted that any understanding regarding the species at the time of the site visit was based on contemporaneous local position and was expressed bona fide during interaction with the Forest Ranger. Significantly, despite the said Notification being relied upon by the Applicant, no show-cause notice or penal proceedings have been initiated by the competent Forest authorities against Respondent Nos. 5 and 6. The contents of the paragraph are therefore misconceived, legally unsustainable in the manner alleged, and are denied. The Applicant is put to strict proof thereof. It is further respectfully submitted that the State of Haryana itself, vide Notification dated 04.01.2013 issued under the Punjab Land Preservation Act, 1900, has specifically recognised certain species including Bakain within the regulatory framework governing tree cutting. The copy of the Notification dated 04.01.2013 is annexed herein as **Annexure-R4**. The Applicant has failed to place the said State notification in its proper statutory context and has instead relied upon the Central SMAF framework in isolation. The regulatory position regarding species treatment is therefore State-specific and fact-dependent.

- 3.4 That the contents of Para 3.4 are wrong and denied. It is denied that “when the Forest Ranger (Shri Rakesh Bachchas) asked for permissions, Respondent Nos. 5 and 6 failed to produce any

approval and instead gave the justification that ‘the said trees were not matching the aesthetics of the society,’” as alleged. It is submitted that the Applicant has inaccurately and selectively portrayed the interaction during the site visit. No such statement was made by the answering Respondents in the manner alleged. It is further denied that any action, if at all undertaken within the society premises, was based on aesthetic considerations alone. It is submitted that the answering Respondents at all times acted bona fide and in the ordinary course of society maintenance and safety management. The Applicant has placed no contemporaneous record or independent material to substantiate the alleged statement. Without prejudice, it is submitted that Respondent Nos. 5 and 6 fully cooperated with the Forest authorities during the visit, and significantly, no show-cause notice or penal proceedings have been initiated against the answering Respondents pursuant thereto. The allegation that the reasoning has “no legal basis” is denied in the manner sought to be applied against the answering Respondents. The Applicant is put to strict proof of the averments made herein.

- 4.1 That the contents of Para 4.1 are wrong and denied. It is vehemently denied that when the Applicant objected to the tree felling and informed Respondent No. 1, Respondent No. 5 and Respondent No. 6 issued threats of dire consequences, as alleged. It is submitted that no such threats were ever issued by the answering Respondents at any point of time. The allegation is vague, unsubstantiated and appears to have been made to give an exaggerated colour to an otherwise routine society issue. It is further submitted that Respondent Nos. 5 and 6 have at all times acted in a bona fide and

responsible manner in discharge of their roles as office bearers of the Apartment Owners Association and have fully cooperated with residents and authorities alike. The Applicant has not placed on record any contemporaneous complaint, recording, message or independent witness to substantiate the alleged threat. The allegations are therefore emphatically denied and the Applicant is put to strict proof thereof.

- 4.2 That the contents of Para 4.2 is a matter of record.
- 4.3 That the contents of Para 4.3 are wrong and denied. It is denied that any inaction on the part of the police or Respondent No. 4 can be attributed to any alleged wrongdoing by Respondent Nos. 5 and 6. It is submitted that the answering Respondents have not committed any illegal tree felling, unlawful use of machinery, or criminal intimidation as vaguely alleged by the Applicant. It is further denied that the alleged non-registration of FIR, if any, lends any credence to the Applicant's claims against Respondent Nos. 5 and 6. The said alleged averments pertain to the functioning of Respondent No. 4 and do not establish any liability of the answering Respondents. Significantly, the Applicant has not placed on record any finding by any competent authority holding Respondent Nos. 5 and 6 guilty of the alleged acts. The allegations are therefore misconceived and denied, and the Applicant is put to strict proof thereof.
- 5.1 That the contents of Para 5.1 are wrong and denied. It is denied that the alleged follow-ups made by the Applicant with DFO Shri Rajkumar in any manner establish or imply any wrongdoing on the part of Respondent Nos. 5 and 6, as sought to be suggested. It is submitted that the averments contained in the present paragraph

pertain solely to the Applicant's alleged communications with Respondent No. 1 and are matters within the knowledge of the Applicant and the concerned authority. It is further submitted that no adverse finding, show-cause notice or penal action has been issued by the competent Forest authorities against Respondent Nos. 5 and 6 despite the alleged follow-ups. The present averments are therefore irrelevant for fastening any liability upon the answering Respondents and are denied to the extent contrary hereto. The Applicant is put to strict proof thereof.

5.2 That the contents of Para 5.2 are wrong and denied. It is denied that there exists any clear evidence of illegal felling" attributable to Respondent Nos. 5 and 6, as alleged. It is submitted that the Applicant has merely made bald assertions without any adjudicatory finding or statutory determination establishing any violation by the answering Respondents. Significantly, even upon physical inspection, the dead stump remains standing in situ, which itself falsifies the allegation of uprooting or illegal felling. It is further submitted that the fact that no action, show-cause notice or penal proceedings were initiated by the competent authorities does not support the Applicant's case; rather, it reinforces that no prima facie illegality attributable to Respondent Nos. 5 and 6 was found. The allegations to the contrary are misconceived and denied, and the Applicant is put to strict proof thereof.

5.3 That the contents of Para 5.3 are wrong and denied. It is denied that the alleged inaction of the DFO has in any manner encouraged the offenders or that Respondent Nos. 5 and 6 fall within the scope of such allegation. The answering Respondents have acted bona fide in

discharge of their roles within the Association and have not committed any act in violation. It is further submitted that the averments in the present paragraph pertain to the alleged statutory duties of the Forest authorities and do not, in any event, establish any liability against Respondent Nos. 5 and 6. The Applicant's conclusions are speculative and are therefore denied.

- 6.1 That the contents of Para 6.1 are wrong and denied. It is admitted to the limited extent that the Applicant claims to have planted certain saplings in the society area. It is denied that the said plantation, even if undertaken, establishes any prior illegality on the part of Respondent Nos. 5 and 6, as sought to be implied. It is submitted that plantation activities within common areas of the society are subject to the overall landscaping plan, safety considerations and maintenance protocols of the Association. The averments made by the Applicant are self-serving and are put to strict proof.
- 6.2 That the contents of Para 6.2 are wrong and denied. It is emphatically denied that any saplings were uprooted on the instructions of Respondent Nos. 5 and 6. No such directions were ever issued by the answering Respondents, and the Applicant has placed no documentary material to establish otherwise. Without prejudice, the saplings in question were Mango and Bakain saplings planted on the basement slab area, which were relocated by ATSMSPL to an alternative suitable location within the society premises to prevent structural damage to the basement infrastructure. The said relocation was a routine maintenance decision taken through the established facility management mechanism and not at the instance of the answering Respondents. The allegation of environmental sabotage is wholly misconceived and denied. The Applicant is put to strict proof thereof.

- 6.3 That the contents of Para 6.3 are wrong and denied. It is vehemently denied that a few days later, when the stumps of the original trees began to regenerate new shoots, even these were uprooted using a JCB, proving a deliberate and systematic attempt to harm the green cover and harm the ecological balance, as alleged. It is submitted that the said averment is factually incorrect and based entirely on conjecture. No such deliberate or systematic attempt to harm the green cover was undertaken by or at the instance of Respondent Nos. 5 and 6. The Applicant has not produced any contemporaneous record, work order, authorisation, or independent material establishing personal involvement of the answering Respondents in the alleged act. It is further submitted that allegations of “uprooting using JCB” are factually incorrect and contradicted by the ground position. It is submitted that the residual root systems of the two Bakain trees — a species expressly exempted under the operative gazette notification S.O.8/P.A.2/1900/S.4/2013 — were situated on and above the basement slab, causing structural damage and obstructing the common pathway. Any limited remedial action undertaken by the facility management agency was a bona fide structural safety and maintenance measure, not an act of environmental harm. The Applicant has mischaracterised maintenance activities as unlawful felling. The relevant period, horticultural and maintenance activities within the society premises were being carried out through the established maintenance mechanism. It is denied that there was any deliberate and systematic attempt to harm the ecological balance, as alleged. The said allegation is a mere exaggeration and speculation. The Applicant is put to strict proof thereof.

- 7.1 That the contents of Para 7.1 are wrong and denied. It is denied that there exists any ongoing proposal to uproot or otherwise discretely damage additional healthy green trees under the pretext of beautification of the condominium, raising serious apprehension of further environmental harm, as alleged. It is submitted that the said averments are based on vague apprehensions and unverified perceptions attributed to unnamed residents and do not disclose any concrete or imminent action by Respondent Nos. 5 and 6. The answering Respondents have not initiated or approved any such proposal, and the allegations are speculative and are therefore denied.
- 7.2 That the contents of Para 7.2 are wrong and denied. It is denied that on 07/12/2025 yet another tree was uprooted within the society premises” by or at the instance of Respondent Nos. 5 and 6, as alleged. It is categorically submitted that the tree in question had collapsed during a severe windstorm event in May 2025 due to adverse weather conditions prevailing at the time. The said weather event is duly documented and annexed hereto as **Annexure-R5 (Colly)** for the kind perusal of this Hon’ble Tribunal. It is further submitted that upon the tree falling due to natural causes, the facility management team immediately secured the affected area, particularly as the fall had caused damage to underground and overhead electrical conduits serving the internal street lighting system, creating risks of exposed wiring, electrocution and short circuit. Thereafter, sustained efforts were undertaken from May to November 2025 to revive and stabilise the tree by repositioning it at the original site and re-packing the root system with soil and

compost support. The intent throughout was preservation and restoration, not removal. However, despite such bona fide revival efforts, the tree failed to survive and was confirmed completely dead by late November/early December 2025. In view of the continuing safety concerns arising from structural instability and interference with electrical infrastructure, the facility management team initiated steps to address the dead stump. Upon objections raised by certain residents, any such relocation activity was immediately halted. It is specifically clarified that the tree was never uprooted or extracted, and the dead stump remains standing in its original position to date. The decision relating to the dead stump was an independent operational decision of the facility management team taken in discharge of maintenance and safety obligations and not at the direction, instruction or behest of Respondent Nos. 5 and 6.

- 7.3 That the contents of Para 7.3 are wrong and denied. It is denied that chemicals are being poured near the roots of other trees or by any other means to make them die slowly so they can be declared 'dead' and removed, as alleged. It is submitted that the said allegation is purely speculative and unsupported by any scientific analysis, laboratory report or expert material. The answering Respondents have neither authorised nor undertaken any such act, and the Applicant's suspicion-based averments are misconceived and denied.
- 7.4 That the contents of Para 7.4 are wrong and denied. It is denied that this poses an immediate threat to the entire green cover of the society, as alleged against Respondent Nos. 5 and 6. It is submitted

that the statement is alarmist in nature and is not supported by any technical assessment or independent verification. The averment is therefore denied.

- 7.5 That the contents of Para 7.5 are wrong and denied. It is denied that Respondent Nos. 5 and 6 have undertaken any high-handed acts resulting in the removal or damage of the green area, as alleged, or that any restraining order is warranted against them, as alleged. The Applicant has failed to establish any prima facie environmental violation attributable to the answering Respondents. It is submitted that the present averments are based on conjecture and are an attempt to seek unwarranted directions against the answering Respondents. The same are therefore denied and the Applicant is put to strict proof thereof.
- 8.1 That the contents of Para 8.1 are wrong and denied. It is denied that the present Application is filed within the prescribed limitation period under Section 14(3) of the National Green Tribunal Act, 2010, as alleged. It is submitted that the Applicant has incorrectly invoked the plea of limitation without establishing a legally sustainable cause of action against Respondent Nos. 5 and 6 within the statutory period. The issue of limitation is a mixed question of fact and law and is denied in the manner asserted by the Applicant.
- 8.2 That the contents of Para 8.2 are wrong and denied. It is denied that the cause of action is continuing in nature, as the illegal felling of two healthy trees occurred recently and the imminent threat of further unlawful removal or damage to additional green trees persists till date, as alleged. It is submitted that the Applicant has sought to rely on speculative apprehensions to artificially invoke the

doctrine of continuing cause of action. No continuing environmental violation attributable to Respondent Nos. 5 and 6 has been established. The averments are therefore misconceived and denied.

8.3 That the contents of Para 8.3 are wrong and denied. It is denied that repeated complaints to the concerned authorities have not resulted in remedial action, thereby keeping the environmental wrong ongoing and the limitation period continuously active, as alleged. It is submitted that repeated representations by the Applicant cannot extend limitation in the absence of any subsisting or recurring environmental violation attributable to Respondent Nos. 5 and 6. The allegations are therefore legally untenable and are denied, and the Applicant is put to strict proof thereof.

9. That the contents of Para 9 and Grounds A to G are wrong and denied. It is denied that any "illegal tree felling without statutory permission," "abuse of power by AOA office bearers," "environmental degradation and loss of green cover," "destruction of planted saplings," or any act of "threats and intimidation" has been carried out by or is attributable to Respondent Nos. 5 and 6, as alleged. It is submitted that the Applicant has made sweeping and omnibus allegations without placing on record any cogent material, technical assessment, or statutory finding establishing any unlawful act by the answering Respondents. It is further denied that Respondent Nos. 5 and 6 have violated any binding statutory framework or NGT jurisprudence relating to tree preservation. The answering Respondents have at all times acted bona fide and within the scope of their roles in the Apartment Owners Association. No

prohibited felling of healthy trees attributable to them has been established by any competent authority.

It is also submitted that the allegations relating to alleged failure of statutory authorities are matters beyond the control of the answering Respondents and do not create any liability against them. The Applicant's attempt to attribute environmental damage and personal culpability to Respondent Nos. 5 and 6 is speculative, exaggerated and legally untenable.

The averments contained in the present paragraph are therefore misconceived and denied, and the Applicant is put to strict proof thereof.

- 10.1 That the contents of Para 10.1 are wrong and denied. It is denied that the present Application is maintainable before this Hon'ble Tribunal under Sections 14, 15 and 18 of the National Green Tribunal Act, 2010, as it raises substantial questions relating to the environment, including illegal felling of trees, violation of statutory environmental safeguards, and degradation of the green cover within an urban residential society, as alleged. It is submitted that the present Application is founded on disputed and unsubstantiated allegations against Respondent Nos. 5 and 6 and does not disclose any established environmental violation attributable to them. The Applicant has merely made omnibus assertions without any adjudicatory finding or technical material linking the answering Respondents to the alleged acts. The maintainability of the Application against Respondent Nos. 5 and 6 is therefore specifically denied.

- 10.2 That the contents of Para 10.2 are wrong and denied. It is denied that the reliefs sought pertain to prevention, control and abatement of environmental harm, restoration of ecological balance, and issuance of appropriate directions... squarely within the scope of this Hon'ble Tribunal's powers under Section 15 of the NGT Act, 2010, insofar as the same is sought to be applied against Respondent Nos. 5 and 6. It is submitted that the Applicant has failed to demonstrate any act of environmental harm attributable to the answering Respondents warranting invocation of the Tribunal's remedial jurisdiction against them. In the absence of any proven violation, the reliance on Section 15 is misplaced and denied.
- 10.3 That the contents of Para 10.3 are wrong and denied. It is denied that "the cause of action has arisen within the territorial jurisdiction of the Hon'ble Principal Bench, New Delhi... insofar as it concerns Respondent Nos. 5 and 6," as alleged. It is submitted that the Applicant has not established any legally sustainable or actionable environmental violation attributable to the answering Respondents so as to confer jurisdiction against them. The bald assertion of jurisdiction, without proof of wrongdoing by Respondent Nos. 5 and 6, is misconceived and is therefore denied.
- 10.4 That the contents of Para 10.4 are wrong and denied. It is denied that this Hon'ble Tribunal has subject-matter jurisdiction, territorial jurisdiction, and statutory jurisdiction to adjudicate the present Application against Respondent Nos. 5 and 6 in the manner alleged. It is submitted that in the absence of any established environmental violation attributable to the answering Respondents, the invocation

of the Tribunal's jurisdiction against them is premature and unsustainable in law. The Applicant be put to strict proof thereof.

It is respectfully submitted that the contents of the Prayer clause are wrong, misconceived and denied to the extent they seek reliefs against Respondent Nos. 5 and 6. It is denied that Respondent Nos. 5 and 6 have undertaken any illegal felling, lopping, uprooting, poisoning or damage to trees within ATS Kocoon Society, or that any case is made out for grant of injunction, imposition of environmental compensation, or direction for compensatory plantation against them. The Applicant has failed to place on record any cogent material, technical assessment, or statutory finding establishing environmental harm attributable to the answering Respondents. The sweeping reliefs sought are founded on disputed and unverified allegations and are therefore legally untenable.

It is further submitted that the prayers seeking directions for tree audit, independent enquiry, police action, environmental compensation, and personal liability are premature and unwarranted in the absence of any established violation by Respondent Nos. 5 and 6. The answering Respondents have at all times acted bona fide in discharge of their responsibilities within the Apartment Owners Association. It is respectfully submitted that the dead stump remains intact and available for independent inspection, and the answering Respondents welcome any site inspection by the DFO, MCG or any expert appointed by this Hon'ble Tribunal.

In view of the above, the reliefs sought against Respondent Nos. 5 and 6 are liable to be rejected and the present Application

deserves dismissal qua the answering Respondents. The Applicant is put to strict proof of all averments made in support of the prayers.

PRAYER

In view of the aforesaid facts and circumstances stated hereinabove, it is most respectfully prayed that:

- a. This Hon'ble Tribunal may be pleased to dismiss the present Original Application qua Respondent Nos. 5 and 6 as being misconceived, unsubstantiated and not maintainable in law;
- b. Reject the reliefs sought against Respondent Nos. 5 and 6 in the absence of any established environmental violation attributable to them;
- c. Delete the name of Respondent No. 6, who has already resigned as from the position of General Secretary of the Apartment Owners Association on 15.06.2025, from the array of parties; and
- d. Pass any other or further order(s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the present case.



RESPONDENT NO. 5 & 6

Place : Gurugram

Date : 14.03.2026


(UMESH GULATI, DIVIJ GULATI & TANYA SAXENA)

Advocates

Enrolment No. P/776-A/1992; D/6038/2021 & D/7261/2021

Transjuris – Legal & Corporate Consultants

A-182, LGF, South City – I, Gurugram

M : 9810256766, E : umeshgulati@transjuris.in

BEFORE THE HON'BLE NATIONAL GREEN TRIBINAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 659 OF 2025

IN THE MATTER OF:

Gaurav Saluja ... Applicant

Versus

DFO Gurugram & Ors ... Respondents

AFFIDAVIT

I, Wg. Cdr. P.P. Singh (Retd.), S/o Late Sh. Dharam Pal Singh aged about 57 years, R/o 5111, ATS Kocoon, Sector 109, Gurugram-122017 do solemnly affirm and declare as under :-

1. That I am Respondent No. 5 in the abovementioned matter and am well conversant with the facts of the case leading to filing of the present Reply/ Written Statement.
2. I say that the accompanying Written Statement has been drafted by our Counsel as per my instructions, the contents of which are true and are correct and may be read as part and parcel of this Affidavit, as the same have not been reiterated herein for the sake of brevity.



Certified that the above statement is declare before me on 14/3/26 at Gurugram By Sh. Wg. Cdr. P.P. Singh S/o Sh. Dharam Pal Singh who is identified by Sri. Umesh Kumar or who is personally known to me. Certified further that this Affidavit is read and explained to the declarant who signed thumb directly to understand & at the time of making proof.

[Signature]
DEPONENT

VERIFICATION

Verified at Gurugram on 14/3/26 day of March 2026 that the contents of the above Affidavit are true and correct to the best of my knowledge and no part thereof is false and nothing material has been concealed therefrom.

[Signature]
DEPONENT

[Signature]
ATTESTED
Piyush Kumar
Advocate
Oath Commissioner
Gurugram
14/03/26

~~Certified that the above statement is declare before me on 14/3/26 at Gurugram By Sh. Wg. Cdr. P.P. Singh S/o Sh. Dharam Pal Singh who is identified by Sri. Umesh Kumar or who is personally known to me. Certified further that this Affidavit is read and explained to the declarant who signed thumb directly to understand & at the time of making proof.~~

**BEFORE THE HON'BLE NATIONAL GREEN TRIBINAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 659 OF 2025**

IN THE MATTER OF:

Gaurav Saluja ... Applicant

Versus

DFO Gurugram & Ors ... Respondents

AFFIDAVIT

I, Mr. Ajay Goel, S/o late Sh. Ram Kumar Goyal, aged about 55 years, R/o 3051, ATS Kocoon, Sector 109, Gurugram 122017 do solemnly affirm and declare as under :-

3. That I am Respondent No. 6 in the abovementioned matter and am well conversant with the facts of the case leading to filing of the present Reply/ Written Statement.
4. I say that the accompanying Reply/ Written Statement has been drafted by our Counsel as per my instructions, the contents of which are true and are correct and may be read as part and parcel of this Affidavit, as the same have not been reiterated herein for the sake of brevity.



[Signature]

DEPONENT

VERIFICATION :-

Verified at Gurugram on this 14th day of March 2026 that the contents of the above Affidavit are true and correct to the best of my knowledge and no part thereof is false and nothing material has been concealed therefrom.

[Signature]

DEPONENT

Certified that the above statement is declare before me on 14/3/26 at Gurugram By Sh. Ajay Goel S/o Sh. Ram Kumar Goyal who is Identified by Sh. Umesh Kumar who is personally known to me. Certified further that this Affidavit is read and explained to the declarant who signed/thumb directly understand & at the time of making proof.

ATTESTED

[Signature]
Advocate
Oath Commissioner
Gurugram
14/03/2026

VERIFICATION :-

Verified at Gurugram on this 14th day of March 2026 that the contents of para 1 to 9 of aforesaid Reply on merits are true and correct to my knowledge and those of paras 1 to 8 of the Preliminary Objections and 10 of the Reply on Merits are true and correct on the basis of the information received and believed to be true. Last para is a humble prayer to this Hon'ble Court.

**RESPONDENT NO. 5 & 6**



**BEFORE THE HON'BLE NATIONAL GREEN TRIBINAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 659 OF 2025**

IN THE MATTER OF:

Gaurav Saluja

... Applicant

Versus

DFO Gurugram & Ors

... Respondents

KNOW ALL to whom these presents shall come that We, Wg. Cdr. P.P. Singh (Retd.) and Mr. Ajay Goel, R/o Flat No. 5111 & 3051 respectively, ATS kocoon Sector 109, Gurugram, Haryana 122006, the abovenamed do hereby appoint

(UMESH GULATI, DIVIJ GULATI & TANYA SAXENA)

Advocates

Enrolment No. P/776-A/1992; D/6038/2021 & D/7261/2021

GURUGRAM-122001

hereinafter called the Advocate, to be my / our Advocate in the above noted case and do hereby authorise him :-

To act, appear and plead in the abovenoted case in this Court or in any other Court in which the same may be tried or heard and also in the Appellate Courts.

To sign, verify and present pleadings, replications, appeals, cross-objections, or Petitions for execution, review, revision, restoration withdrawal, compromise or other Petitions, replies, objections, Affidavits or other documents as may be deemed necessary for conducting the said case in all its stages.

To file and take back documents.

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.

To take out execution proceedings.

To deposit, draw and receive money, in cash or by way of cheque and issue receipts therefor and to do all other acts, deeds and things that may be necessary to be done for the progress and in course of conducting the said case.

To appoint and instruct any other legal practitioner authorising him to exercise the powers and authorities hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on my / our behalf.

And I / We the undersigned do hereby agree to ratify and confirm acts done by the Advocate or his substitute in the matter as if the same were done by me / us for all intents and purposes. I / We further undertake that I / we or my / our duly authorised agent shall appear in the Court on all hearings and will inform the Advocate for appearance when the case is called.

And I / we the undersigned do hereby agree not to hold the Advocate or his substitute responsible for the result of the case in consequence of his absence from the Court when the said case is called or for any negligence of the said Advocate or his substitute.

And I / we do hereby agree that in the event of the whole or any 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. If any costs are allowed for an adjournment, the Advocate shall be entitled to the same.

IN WITNESS WHEREOF I / we do hereunto set my / our hands to these presents, the contents whereof have been understood by me / us this 14th day of March, 2026.

Accepted

Advocate

Client





Annexure -R1 88

Ajay goel <ajaykumargoel@gmail.com>

Immediate and Final Resignation from the Post of Secretary – ATS Kocoon AOA

1 message

Ajay Goel <ajaykumargoel@gmail.com>

15 June 2025 at 10:49

To: pp singh <pp_bhavnagar@yahoo.com>, ajayaoc@yahoo.co.in, Surendra Bhatoa <sbhatoa.nia@gmail.com>, Vaibhav Kumar <vaibhav.kmr@gmail.com>

Cc: drfsgurugram@gmail.com, "shobajggm.pol-hry@gov.in" <shobajggm.pol-hry@gov.in>

To:

*Wg.Cdr. P. P. Singh President, AOA, ATS Kocoon
Committee Members, AOA, ATS Kocoon

Dear Sirs,

Late last night, a group of residents approached the police and named me in their complaint regarding a technical decision to operate the DG set, which was part of a calibrated and well-considered strategy to prevent repeated tripping of the 11 KVA line due to overload. I received a call from the police station around midnight, which deeply disturbed my peace of mind and compelled me to reflect on the extent to which this group of residents are willing to escalate technical matters into personal harassment.

I am writing to formally resign, with immediate effect, from my position as **Secretary, ATS Kocoon AOA**, due to **serious mental health deterioration** caused by ongoing harassment and a persistently hostile environment within ATS Kocoon.

Please note that this resignation is **final, non-revocable, and does not require acceptance to be effective**. I have been medically advised to immediately disengage from all stressful and public-facing responsibilities in the interest of my health and well-being.

Despite my **sincere and tireless efforts to serve the residents of our society in good faith**, I have been subjected to sustained harassment and physical and personal attacks, including:

- **Physical assault** inside the AOA office on **17 April 2025** by a resident. This matter is currently under court jurisdiction.
- A **false and malicious police complaint** lodged on **25 May 2025** by another resident.
- Circulation of **frivolous legal notices** and repeated public sharing of these documents by the same residents.
- **Unauthorized sharing of my personal contact details** with the reporters and media, resulting in harassing calls and mental distress.
- **Targeted, frivolous and defamatory content** circulated by a group of residents across multiple public forums and chat groups.
- **False allegations** related to DG operations, culminating in a **late-night police complaint followed by a midnight call on 14–15 June 2025**, causing further trauma.

In the aftermath of the traumatic **17 April assault**, I have been undergoing treatment for panic attacks and related mental health issues, and the ongoing environment has become medically and emotionally unsustainable.

This letter serves as my **final communication** in the capacity of Secretary. I request that official responsibilities be reassigned at the earliest. I remain committed to assisting with a smooth handover of all records and responsibilities to the incoming Secretary, to the extent feasible and in accordance with my health.

I thank those residents and executive members who stood by me, and I extend my best wishes to the AOA and the community for continued progress.

I wish the AOA and all residents continued progress and harmony.

Warm regards,
Ajay Goel

cc: District Registrar and SHO Bajghera police station



June 3, 2025

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Dear Allottees/Owners of flats & Shops of ATS Kocoon,

Greetings of the day!

This is with reference to the HOTO agreement signed among- Umritha Infrastructure Development LLP, ATS Maintenance Services Pvt Ltd & the Kocoon AOA on 10th of May 2025, whereas the operation and maintenance of the project named ATS Kocoon has been handed over to Kocoon AOA w.e.f. 1st May 2025 and the Electricity & Power backup systems w.e.f. 1st June 2025.

In view of the above, all are requested to pay MMC, Water, Electricity recharge or any other applicable charges to AOA only and not to ATS Maintenance Services Pvt Ltd anymore.

All the debit/credit into the account of ATS Maintenance Services Pvt Ltd under the above-mentioned heads have been taken into account- means AOA is authorized to collect the outstanding under these heads from the allottees/Owners.

Therefore, all are requested to get in touch with AOA representatives for the matters related to operation and maintenance and the payment of charges thereof.

Best regards,


(Authorised Signatory)

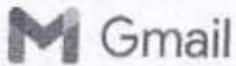
ATS Maintenance Services Pvt Ltd

ATS Maintenance Services Pvt. Ltd.

Registered Office: 711/92, Deepali, Nehru Place, New Delhi - 110019

14/02/2026, 07:58

Gmail - Handover/Takeover Communication_ATS Kocoon



Ajay goel <ajaykumargoel@gmail.com>

Handover/Takeover Communication_ATS Kocoon

Care <care@atsmaintenance.in>

4 June 2025 at 12:32

To: "ajaykumargoel@gmail.com" <ajaykumargoel@gmail.com>

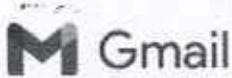
Dear Allottees/Owners of flats & shops of ATS Kocoon,

Please find an important communication related handover/takeover of ATS Kocoon.

Regards,

ATS Maintenance Services Pvt Ltd.

 **Handover Takeover Communication.pdf**
308K



Factual Report Regarding the Dead/Dried Tree Near Gate Area – Incident of December 2025 – Actions Taken by Facility Management in Discharge of Maintenance and Safety Obligations

Enviro ATS Kocoon <atskocoon@enviroindia.in>
To: AOA Kocoon Accounts <aoakocoon.acct@gmail.com>

Mon, Feb 16, 2026 at 7:25 PM

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Respected Sir,

This is with reference to the incident relating to a dead/dried tree situated in the common area of ATS Kocoon Society near the gate area, which has become the subject of certain complaints and proceedings. As the **Facility Manager** responsible for the day-to-day maintenance and upkeep of the common areas of ATS Kocoon, I am submitting this factual report for the record of the AOA, setting out the complete chronology of events, the rationale for the decisions taken, and the current status of the tree.

1. BACKGROUND AND CHRONOLOGY OF EVENTS

1.1 Tree Damage During May 2025 Storms: During a severe gust/storm event in **May 2025**, the tree in question – which was already in a weakened and declining condition – **fell/collapsed**, causing significant damage to the underground and overhead **electrical conduits and cabling of the internal street lighting system** in the vicinity. The fall of the tree disrupted the street lighting in the affected zone and posed an immediate risk of electrical hazard (exposed wiring, short-circuit risk) to residents, children, pedestrians, and maintenance staff.

1.2 Immediate Response – Securing the Area: Upon being alerted to the tree fall, the facility management team immediately: (a) **secured the area** and cordoned off the zone around the fallen tree and damaged electrical conduits to prevent injury; (b) **disconnected the affected street light circuit** to eliminate the risk of electrocution or electrical fire; and (c) **assessed the extent of damage** to the electrical infrastructure and the condition of the tree.

1.3 Efforts to Revive the Tree: Rather than immediately removing the fallen tree, the facility management team, in consultation with the horticulture staff, made **concerted and sustained efforts to revive the tree in situ**. The tree was propped upright and supported; the root system was re-packed with soil and compost, and regular watering was arranged. These revival efforts continued over a period of **several months (May to November 2025)**. However, despite these persistent efforts, the tree **failed to revive**. By late November/early December 2025, it was evident that the tree was **completely dead** – the bark had dried and was peeling, the branches showed no sign of budding or leafing, and the sprouts that had initially appeared had also dried out completely. There was no living tissue remaining in the tree.

2. SAFETY ASSESSMENT AND DECISION-MAKING

2.1 Safety Concerns: By December 2025, the dead tree stump presented the following **active safety and maintenance concerns**:

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(a) **Structural instability:** The dead tree, with its root system compromised by the May 2025 fall and subsequent soil disturbance, was structurally unstable. There was a real and present risk of the dead trunk collapsing again – potentially onto pedestrians, vehicles parked in the adjacent parking area, or children playing in the common area;

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(b) **Continued damage to electrical infrastructure:** The root system and base of the dead tree were in direct contact with and exerting pressure on the electrical conduits serving the internal street lighting. The affected street light circuit remained partially non-functional/compromised due to the tree's interference. Full restoration of the electrical system required addressing the source of the damage;

(c) **Pest and termite risk:** Dead and decaying tree stumps are known to attract termites, borers, and other wood-destroying organisms, which could spread to the nearby healthy trees and to the building structure, causing further ecological and structural damage;

(d) **Obstruction to pathway and vehicular movement:** The leaning dead stump was partially obstructing the adjacent pathway and creating a hazard for vehicular and pedestrian traffic in the area.

2.2 Decision to Relocate/Remove the Dead Stump: In light of the above safety and maintenance concerns, and after confirming that all efforts to revive the tree had been exhausted, the facility management team took the decision to **relocate the dead stump** from its current position to eliminate the safety hazard and enable repair of the damaged electrical infrastructure. This decision was taken in **good faith, in the ordinary course of routine facility maintenance, and in discharge of the facility management team's duty of care** towards the residents and common areas of the society. It was not taken at the direction or instruction of any individual office-bearer of the AOA, nor was it motivated by any consideration other than safety and maintenance.

3. ABANDONMENT OF REMOVAL UPON RESIDENT OBJECTION

3.1 That when the facility management team commenced the relocation work in **early December 2025**, certain residents of the society raised objections to the removal of the dead stump. Upon receiving these objections, the facility management team **immediately ceased all removal/relocation work** and left the dead tree stump in its existing position.

3.2 That this **immediate cessation of work upon resident objection** demonstrates the following:

(a) The facility management team's **respect for residents' concerns** and willingness to accommodate their views, even when the team was acting on legitimate safety grounds;

(b) The absence of any **coercion, compulsion, or instruction from any AOA office-bearer** to forcibly remove the tree – had there been any such instruction, the work would not have been abandoned merely upon objection by individual residents;

(c) The decision was an **independent operational decision** of the facility management team, taken and reversed on the merits, without involvement of the AOA's executive committee or any individual office-bearer.

3.3 That the dead tree stump **remains standing intact in its original position to this date**. It was **never uprooted, removed, or extracted**. The trunk and root system are still in the ground, though the tree is completely dead with no living foliage, dried bark, and dried sprouts.

4. CURRENT STATUS AND RESIDUAL SAFETY CONCERNS

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4.1 That the dead tree stump continues to stand in its current position. It is submitted that the safety concerns identified in paragraph 2.1 above **continue to persist**. The dead stump remains structurally unstable, continues to interfere with the electrical conduit system, and poses an ongoing risk of pest infestation. The facility management team has taken interim measures (periodic inspection, temporary support) to mitigate the immediate risk, but a permanent resolution – either removal of the dead stump or comprehensive engineering intervention – will be required in due course, subject to the AOA's directions and any orders of the competent authorities.

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4.2 That the facility management team remains committed to the **preservation and protection of all living green cover** within ATS Kocoon. The decision to attempt relocation of the dead stump was directed solely at a **confirmed dead tree posing active safety hazards**, and was never intended to – nor did it – affect any living tree or green cover within the society.

5. IMPORTANT CLARIFICATIONS FOR THE RECORD

5.1 That for the avoidance of doubt, the following is clarified:

(a) The decision to attempt relocation of the dead stump was an **independent operational decision** of the facility management team, taken in the ordinary course of routine maintenance and safety management. It was **not taken at the direction, instruction, or behest of any individual office-bearer of the AOA**, including the President or any member of the Executive Committee;

(b) The tree was **confirmed dead** after exhaustive revival efforts spanning several months. The removal attempt was directed at a dead stump, not a living tree;

(c) The primary motivation was **resident safety and protection of electrical infrastructure**, not aesthetics, personal preference, or any extraneous consideration;

(d) The removal work was **immediately abandoned upon resident objection**, and the dead stump remains intact in its position to this date;

(e) The tree was **never uprooted**. Any characterisation of this incident as “uprooting” or “illegal tree felling” is factually incorrect and does not reflect the ground reality;

(f) The facility management team acknowledges, with the benefit of hindsight, that a **formal assessment and documentation** of the dead tree's condition should have been prepared and placed on record prior to commencing any removal/relocation work. The team has been counselled accordingly and will ensure that such documentation is prepared in the future for any similar situation.

6. OFFER FOR INDEPENDENT INSPECTION

6.1 That the facility management team offers its full cooperation for any **independent inspection or assessment** of the tree in question by any authority, including the Divisional Forest Officer (DFO), Municipal Corporation of Gurugram (MCG), or any expert appointed by this Hon'ble AOA or any competent Tribunal/Court. The dead/dried condition of the tree, and the fact that it was never uprooted, will be self-evident upon physical inspection.

6.2 That the facility management team is also prepared to provide any further information, records, or clarifications as may be required by the AOA or any authority in connection with this matter.

This report is submitted for the record of the AO 94 may be produced before any authority or Tribunal as may be necessary.

Thanking you,

Yours faithfully,

Hetram Yadav
Facility Manager

Enviro Facility Management

ATS Kocoon, Sector-109, Gurugram

Mob:-9220605400

[Authorised English Translation]

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HARYANA GOVERNMENT**FOREST DEPARTMENT****Notification**

The 4th January, 2013

No. S.O. 8/P.A. 2/1900/S. 4/2013.—Whereas the Governor of Haryana is satisfied, after due enquiry, that the regulation, restrictions and prohibitions hereinafter contained are necessary for the purpose of giving effect to the provisions of the Punjab Land Preservation Act, 1900 (Punjab Act 2 of 1900);

Now, therefore, in exercise of powers conferred by Section 4 of the said Act, the Governor of Haryana hereby prohibits the following acts for a period of fifteen years with effect from the date of publication of this order in the Official Gazette in the areas more particularly specified in the Schedule given below, which has been notified under Section 3 of the said Act, *vide* Haryana Government, Forest Department, Notification No. S.O. 81/P.A. 2/1900/S. 3/2012, dated the 19th December, 2012.

- (a) The cutting of trees or timber except Eucalytus, Poplar, Bakain, Bamboo, Tut, Amrood and Ailanthus or the collection or removal or subjection to any manufacturing process, of any forest produce other than flower, fruit and honey, save for *bona fide* domestic or agricultural purposes of the right-holders in the land, provided that the owners of the land may sell trees or timber after obtaining a permit to do so from the Divisional Forest Officer of the concerned division. Such permit will prescribe such conditions for sale as may, from time to time, appear necessary in the interest of forest conservancy. The farmers of the State shall be liberty to sell Khair trees to any person/agency/Haryana Forest Development Corporation Limited of their choice so as to enable them to get remunerative price of their products provided that the owners of the land may sell the Khair trees after obtaining a permit to do so from the Divisional Forest Officer concerned.

SCHEDULE

District	Tehsil	Village
1	2	3
Panchkula	Kalka	Areas lying on North side of metalled & unmetalled road connecting Chandigarh, Panchkula, Ramgarh, Raipur Rani, Naraingarh, Sadhaura, Bilaspur, Chhachhrauli, Dadupur and reaching Jamuna river near villages Nathanpur and Lakur.
	Panchkula	
Ambala	Naraingarh	
Yamuna Nagar	Jagadhari	
	Chhachhrauli	
Faridabad	Ballabgarh	Areas lying on western side of Delhi-Ballabgarh road and northern road and northern side of Ballabgarh-Sohna road.
	Faridabad	
Mewat	Nuh	Areas lying on western side of Delhi-Alwar road. All Revenue Estates of Ferozepur Jhirka Tehsil.
	Ferozepur Jhirka	
Gurgaon	Gurgaon	All Revenue Estates of Gurgaon Tehsil.
	Sohna	All Revenue Estates of Sohna Tehsil.
	Pataudi	All Revenue Estates of Pataudi Tehsil.
Mohindergarh	Narnaul	All Revenue Estates of Narnaul Tehsil.
	Mohindergarh	All Revenue Estates of Mohindergarh Tehsil.
Rewari	Rewari	All Revenue Estates of Rewari Tehsil.
	Bawal	All Revenue Estates of Bawal Tehsil.
	Kosli	All Revenue Estates of Kosli Tehsil.
Bhiwani	Dadri	Areas lying on western side of Dadri, Bhiwani, Tosham & Hisar Road.
	Bhiwani	
	Loharu	

KRISHINA MOHAN,
Additional Chief Secretary to Government Haryana,
Forest Department.

Annexure R5

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Massive Storm Results In Power Cuts, Waterlogging Across Gurgaon; Netizens Question Authorities

The downpour, accompanied by strong winds, wreaked havoc across the region—uprooting trees, toppling electric poles, and causing traffic snarls on key roads.

By **ABP Live Bureau** | Updated at: 21 May 2025 11:08 AM IST



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Take a look at wind speed at different places in Delhi when a powerful thunderstorm hit the National Capital Region earlier today between 7:45 PM and 8:30 PM.

Place	Wind speed	Time in hours
Safdarjung (Airport)	79 kmph	2010
Palam (Airport)	74 kmph	2000
Automatic Weather Station		
Pragati Maidan (Central Delhi)	78 kmph	2015
Pitampura (Northwest Delhi)	65 kmph	2000

Eric Dane, Grey's Anatomy Star, Dies At 53 After ALS Diagnosis

Tushar Kulkarni



09:53 Fri 20 Feb timesofindia.indiatimes.com

City Delhi Mumbai Bengaluru Hyderabad Kolkata Today's ePaper

Hailstorm hits Delhi-NCR: 5 dead, trees uprooted, flights affected, metros stall

TOI City Desk / TIMESOFINDIA.COM / Updated: May 22, 2025, 11:56 IST

Delhi-NCR faced a chaotic Wednesday. A dust storm, hailstorm, and rain swept through the region. The storm killed at least five people. Air and ground transport were disrupted. Flights were diverted, and metro services were affected. Traffic crawled acro... [Read More](#)

NEW DELHI: After a day of searing heat, with the heat index hitting a dangerous 50.2°C around noon, Delhi and National Capital Region were battered by a sudden and intense storm late Wednesday evening.

Winds gusting up to 79kmph brought heavy rainfall, hailstorms, and widespread chaos across Delhi-NCR, killing at least five people, including two in Delhi and three in NCR cities.

Weather flips after intense heat

The IMD said the sudden change in weather was due to a southward-moving convection triggered by a cyclonic circulation over Haryana, drawing moisture from both the Arabian Sea and Bay of Bengal.

INDIA'S 'SILICON CITY' DROWNS AS FLOODS BENGALURU

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Sudden storm exposes holes in Gurugram's infra

By 9 am, knee-deep water had transformed roads into rivers, halting vehicles and triggering breakdowns that stretched delays beyond 60 minutes. Winds gusting up to 60 km/h snapped power lines, uprooted trees and plunged swathes of old Gurugram into darkness, underscoring the city's fragile disaster preparedness.

Published on: May 02, 2025 6:05 AM IST

By Leena Chhabra - X

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