

## BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

## PRINCIPAL BENCH, NEW DELHI

## ORIGINAL APPLICATION NO. 525/2022

## IN THE MATTER OF:

LAXMI

.... APPLICANT

VERSUS

MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE &  
OTHERS

.... RESPONDENTS

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 (Vipul Pandey, IFS)  
 Dy. Conservator of Forests (South)

Date: .03.2024

Place: New Delhi

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**PRINCIPAL BENCH, NEW DELHI**

**ORIGINAL APPLICATION NO. 525/2022**

**IN THE MATTER OF:**

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MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE &  
OTHERS

... RESPONDENTS

**STATUS REPORT ON BEHALF OF THE DEPUTY CONSERVATOR OF  
FORESTS, SOUTH FOREST DIVISION, DEPARTMENT OF FORESTS  
AND WILDLIFE, GOVERNMENT OF NATIONAL CAPITAL  
TERRITORY OF DELHI.**

**MOST RESPECTFULLY SHOWETH:**

1. That the abovementioned application which is filed by the Plaintiffs is pending adjudication before this Hon'ble Court and the same is fixed for 12.03.2024.
2. This status report is in continuation of previous status reports dated 13.02.2024, and 09.05.2023. The present Status Report is submitted to outline the actions taken by the Department in accordance with the Ld. Tribunal order dated 14.02.2024 in the present application. The purpose of producing the relevant record and assisting this Ld. Tribunal in just and proper adjudication of the questions involved in the case.

3. That on 14.02.2024, in compliance with the aforementioned direction, the undersigned, along with his staff and SDM (Saket), conducted a ground inspection of the area.

**The inspection revealed the following observations, as detailed in the table below:**

<b>S. No</b>	<b>Khasra Nos.</b>	<b>Notified under Notification</b>	<b>Village</b>	<b>Total Area (Bigha-Biswa )</b>	<b>Notified Area (Bigha-Biswa )</b>	<b>Encroachment Status</b>	<b>Remarks</b>
1.	963 Min	1994	Bhatti	12-16	2-8	The area is under the possession of Forest Department. Copy of pictures depicting the same are annexed as <b>Annexure 1.</b>	-do-
2.	969 Min	1996	Bhatti	2-13	1-11	Encroachment has been successfully cleared from the area, which is now under the possession of the Forest Department. A signboard by the Forest Department has been installed along with wire	-do-

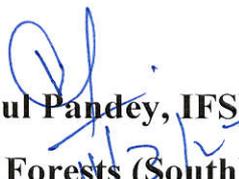
						fencing and plantation. Copy of pictures depicting the same are annexed as <b>Annexure 2.</b>	
3.	730 Min	1996	Bhatti	5-17	0-2	The area is under the possession of the Forest Department. Copy of pictures depicting the same are annexed as <b>Annexure 3.</b>	-do-
4.	954 Min	1996	Bhatti	16-16	8-8	Encroachment has been successfully cleared from the area, which is now under the possession of the Forest Department. A signboard by the Forest Department has been installed, along with the placement of poles and wire fencing. Copy of pictures depicting the same are annexed as <b>Annexure 4.</b>	-do-
5.	961	1996	Bhatti	15-7	7-13	Encroachment has	-do-

	Min					been successfully cleared from the area, which is now under the possession of the Forest Department. A signboard by the Forest Department has been installed, along with the placement of poles along with wire fencing and plantation. Copy of pictures depicting the same are annexed as <b>Annexure 5</b> .	
6.	848	1996	Bhatti	6-11	6-11	The Hon'ble High Court of Delhi vide order dated 16.10.2018, has granted Status quo in the land in question in the matter titled as " <i>Anant Raj Ltd versus GNCTD &amp; others, WP(C) no. 10505/2018</i> ". However, A signboard by the	Demarcation exercise is completed on ground by Revenue Department.

						Forest Department has been installed. Copy of the said Order and picture of signboard are annexed as <b>Annexure 6 (Colly)</b> .	
7.	725	1996	Bhatti	19-11	19-11	The Hon'ble High Court of Delhi, in its order dated 13.12.2021, granted Status quo for 14 Bighas of the total 19 Bigha-11 Biswa area in the case titled " <i>Arun Kumar Jain versus Dy. Conservator of Forest (South), CS (OS). No. 658/2021</i> ". The remaining area, comprising 5 bighas 11 Biswa, remains under the possession of the Forest Department. Copy of the said Order and land which is under possession the Forest	-do-

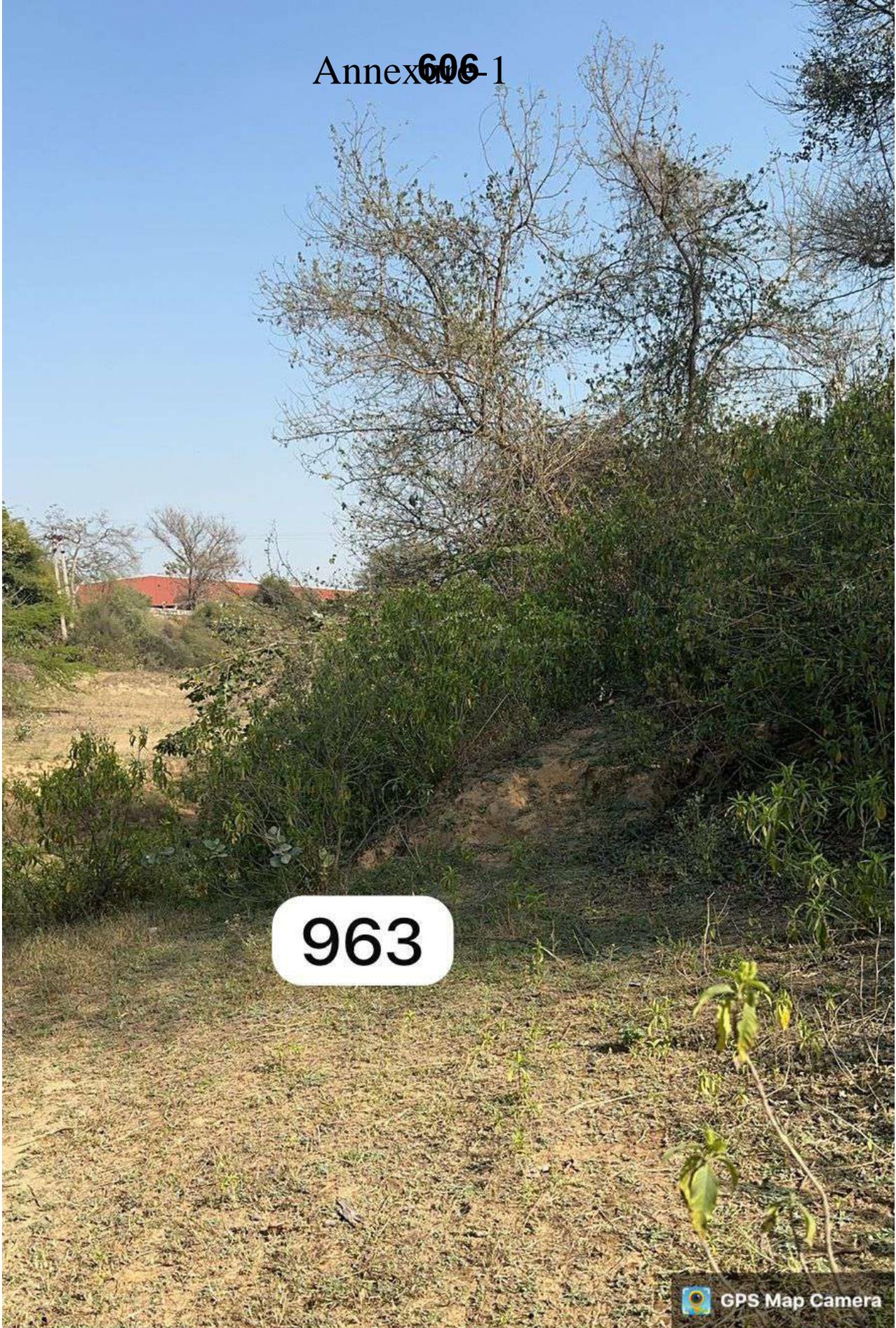
						Department are annexed as <b>Annexure 7 (Colly).</b>	
8.	729	1994	Bhatti	4-4	4-4	The Hon'ble High Court of Delhi, in its order dated 13.12.2021, granted Status quo on entire area i.e. 4 Bighas 4 Biswa in the case titled " <i>Arun Kumar Jain versus Dy. Conservator of Forest (South), CS (OS). No. 658/2021</i> ".	-do-

4. It is humbly submitted that the Dy. Conservator of Forests (South) has the highest respect and regard for the orders of this Hon'ble Court. The present reply and its annexures are being placed before this Hon'ble Court for its consideration and further directions, if any.

  
**(Vipul Pandey, IFS)**  
**Dy. Conservator of Forests (South)**

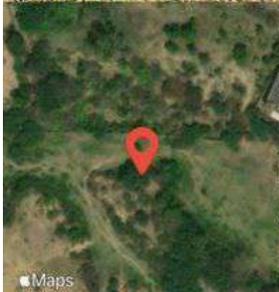
Date: .03.2024

Place: New Delhi



963

GPS Map Camera



New Delhi, DL, India  
Dera, New Delhi, 110074, DL, India  
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Note : Captured by GPS Map Camera



*Khasra Number 963*

969

GPS Map Camera

New Delhi, DL, India

Dera, New Delhi, 110074, DL, India

Lat 28.436863, Long 77.196516

03/08/2024 12:07 PM GMT+05:30

Note : Captured by GPS Map Camera



969

## सूचना

सर्व साधारण को सूचित किया जाता है कि यह भूमि उपवन संरक्षक (दक्षिणी प्रभाग) के अधीन है इस भूमि पर अतिक्रमण या मलबा डालना दण्डनीय अपराध है यदि कोई व्यक्ति अतिक्रमण करते हुए या मलबा डालते हुए पाया जाता है तो उसके विरुद्ध सख्त से सख्त कानूनी कार्यवाही की जाएगी।

GENERAL PUBLIC IS HEARBY INFORMED THAT THIS LAND IS UNDER THE CONTROL OF DEPUTY CONSERVATOR OF FOREST SOUTH FOREST DIVISION ANY KIND OF ENCROACHMENT ON THIS RIDGE LAND & DUMPING OF MALBA IS A PUNISHABLE OFFENCE TRESPASSERS SHELL BE PROSECUTED UNDER LAW.

KHASRA No 969

BY ORDER  
D. C. F. (SOUTH)  
NEAR SHOOTING RANG, TUGHLAKABAD, NEW DELHI-110044

GPS Map Camera

New Delhi, DL, India

Dera, New Delhi, 110074, DL, India

Lat 28.436803, Long 77.196258

03/08/2024 12:10 PM GMT+05:30

Note : Captured by GPS Map Camera





969

GPS Map Camera

New Delhi, DL, India

Dera, New Delhi, 110074, DL, India

Lat 28.436699, Long 77.196231

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Note : Captured by GPS Map Camera





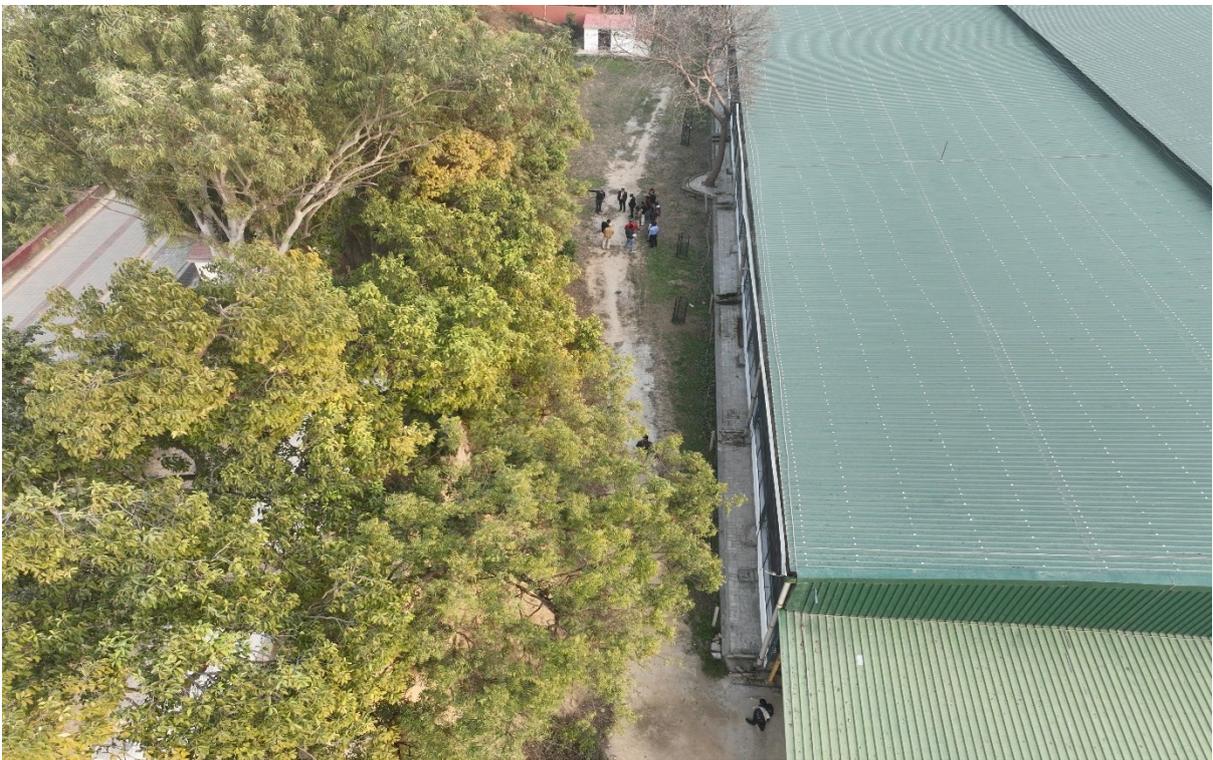
**Khasra Number 969**



**Khasra Number 969**



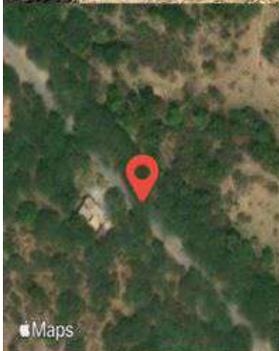
**Khasra Number 969**



**Khasra Number 969**



*Khasra Number 969*



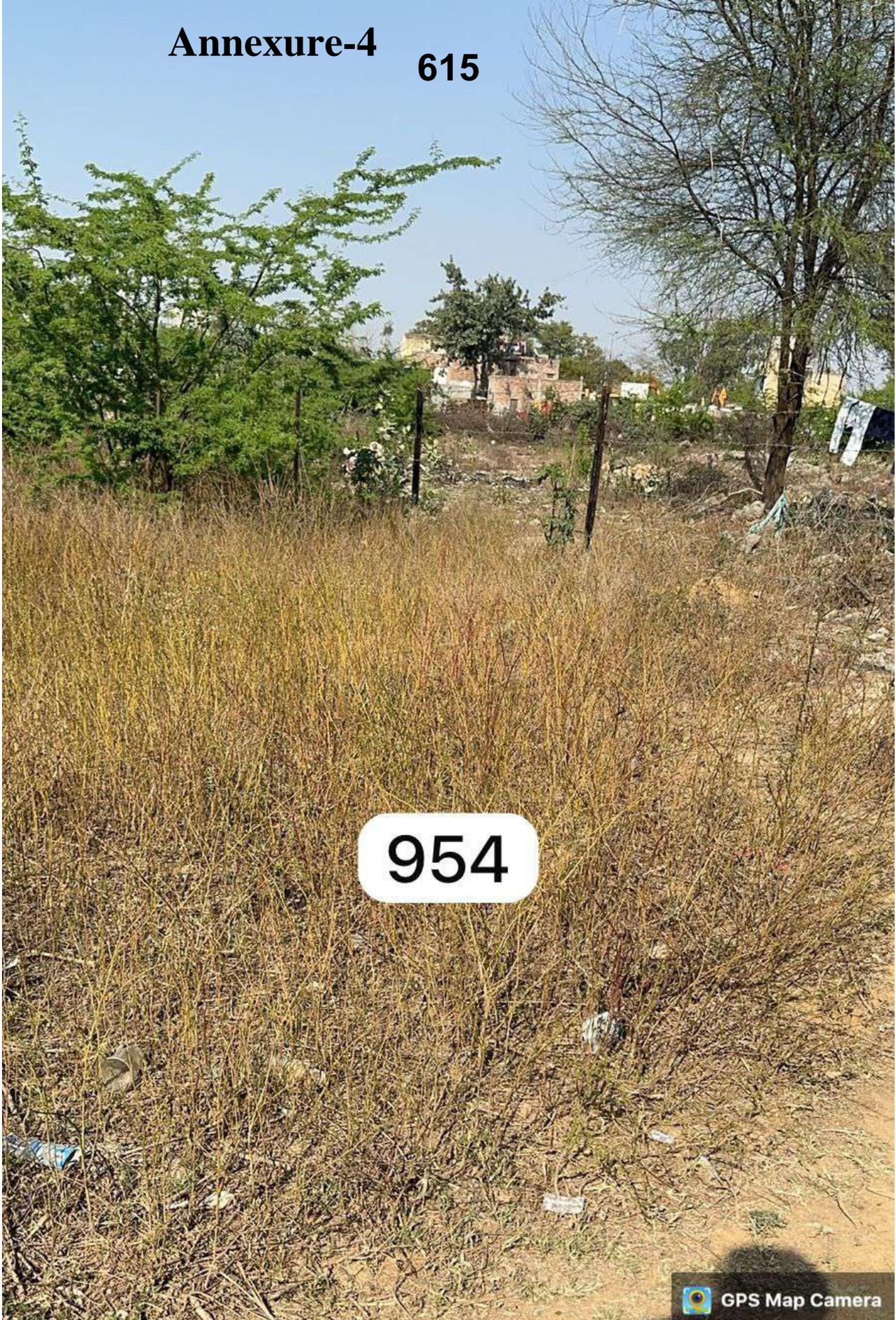
New Delhi, DL, India

Sant Shree Nagpal Marg, Bhati Mines, New Delhi,  
110074, DL, India

Lat 28.432183, Long 77.212890

03/08/2024 03:03 PM GMT+05:30

Note : Captured by GPS Map Camera



954

GPS Map Camera



New Delhi, DL, India  
Dera, New Delhi, 110074, DL, India  
Lat 28.436696, Long 77.198797  
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Note : Captured by GPS Map Camera

Maps

616

17

954

GPS Map Camera



New Delhi, DL, India

Dera, New Delhi, 110074, DL, India

Lat 28.436719, Long 77.198840

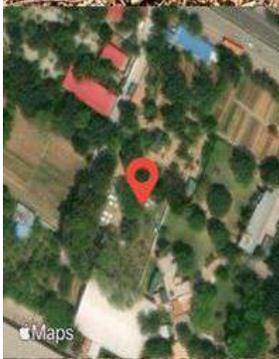
03/08/2024 03:13 PM GMT+05:30

Note : Captured by GPS Map Camera



961

GPS Map Camera



New Delhi, DL, India

Sant Shree Nagpal Marg, Dera, New Delhi,  
110074, DL, India

Lat 28.438074, Long 77.197571

03/08/2024 12:05 PM GMT+05:30

Note : Captured by GPS Map Camera

## सूचना

सर्व साधारण को सूचित किया जाता है कि यह भूमि उपवन संरक्षक (दक्षिणी प्रभाग) के अधीन है इस भूमि पर अतिक्रमण या मलबा डालना दण्डनीय अपराध है यदि कोई व्यक्ति अतिक्रमण करते हुए या मलबा डालते हुए पाया जाता है तो उसके विरुद्ध सख्त से सख्त कानूनी कार्यवाही की जाएगी।

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961

KHASRA No. 961

BY ORDER  
D. C. F. (SOUTH)  
NEAR SHOOTING RANG, TUGHLAKABAD, NEW DELHI-110044

GPS Map Camera

New Delhi, DL, India

Dera, New Delhi, 110074, DL, India

Lat 28.437928, Long 77.197116

03/08/2024 12:03 PM GMT+05:30

Note : Captured by GPS Map Camera





— Khasra Number 961



Khasra Number 961



## Annexure-6 (Colly)

\$~43

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 10505/2018

ANANT RAJ LTD.

.....Petitioner

Through: Mr. Amit Sibbal, Senior Advocate  
with Mr. Deepak Khosla, Mr. H.S.  
Sharma & Mr. Sohan Kumar,  
Advocates

Versus

GOVT. OF NCT OF DELHI & ORS.

..... Respondents

Through: Nemo.

**CORAM:**

**HON'BLE MR. JUSTICE SUNIL GAUR**

### **ORDER**

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**16.10.2018**

**C.M. 43843/2018**

By way of this application, petitioner seeks early hearing of C.M. 41006/2018 and prays for interim orders till the next date of hearing. Advance copy of the application has been supplied to the side opposite but there is no representation on their behalf.

Upon petitioner taking steps, notice of the application be issued to respondents by speed post, returnable on the date fixed i.e. 1<sup>st</sup> November, 2018. Let the tracking report of speed post and affidavit of service be filed on or before the next date of hearing.

List on the date fixed i.e. 1<sup>st</sup> November, 2018.

In view of averments made in paragraph No.3 of the application, *status quo*, as of today, in respect of subject property be maintained.

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W.P.(C) 10505/2018

Page 1



A copy of this order be given *dasti* under the signatures of Court Master to counsel for petitioner.

**SUNIL GAUR, J**

**OCTOBER 16, 2018**

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## सूचना

सर्व साधारण को सूचित किया जाता है कि यह भूमि उपवन संरक्षक (दक्षिणी प्रभाग) के अधीन है इस भूमि पर अतिक्रमण या मलबा डालना दण्डनीय अपराध है यदि कोई व्यक्ति अतिक्रमण करते हुए या मलबा डालते हुए पाया जाता है तो उसके विरुद्ध सख्त से सख्त कार्रवाई की जाएगी।

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848

BY ORDER

(D. C. F. (SOUTH))

NEAR SHOOTING RANGE, TUGHLAKABAD, NEW DELHI-110011

GPS Map Camera



**New Delhi, DL, India**

Bhati Mines, New Delhi, 110074, DL, India

Lat 28.435799, Long 77.199326

03/08/2024 03:20 PM GMT+05:30

Note : Captured by GPS Map Camera



## Annexure-7 (Colly)

\$~32

\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **CS(OS) 658/2021**

ARUN KUMAR JAIN ..... Plaintiff  
Through: Mr.Ravi Gupta, Sr. Advocate with  
Mr.Pankaj Vivek, Mr.Sachin and  
Mr.Deepak, Advocates.

versus

DY. CONSERVATOR OF FOREST & ORS. .... Defendants  
Through: Counsel for D-3.

**CORAM:**  
**HON'BLE MR. JUSTICE YOGESH KHANNA**

**ORDER**

% **13.12.2021**

**I.A. No.16185/2021**

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

**CS(OS) 658/2021, I.A. Nos.16184, 16186/2021**

3. It is the case of the plaintiff, around the year 1980, 45 Bighas and 16 Biswas situated in Village Bhati was purchased by plaintiff separate sale deeds and these lands were duly mutated/recorded in his name in the Fard Khatoni of Village Bhati, presently forming part of Tehsil Saket, District South, New Delhi.
4. It is stated the plaintiff is an absolute owner and is in possession of suit lands 'A'.
5. It is alleged the plaintiff entered into cultivatory possession of adjoining 40 Bighas and 4 Biswas of Gaon Sabha land of Village Bhati, details of which are mentioned in para 7 of the plaint. This land is termed as suit land 'B' and this cultivatory possession of plaintiff was duly recorded in Khasra Girdawri of years 1981-1983.



6. The plaintiff is contesting a case for above 40 Bighas and 4 Biswas of land for declaration of his bhumidhari rights under Section 85 of the Delhi Land Reforms Act, 1954 since 1990. The site plan depicting the entire land in possession of the plaintiff is annexed with the plaint which shows the 45 Bighas and 16 Biswas of purchased land in orange colour and the 40 Bighas and 4 Biswas of land which is in adverse cultivatory possession of plaintiff in blue stripes.
7. It is alleged on 10.10.2020 some officials of the Forest Department had visited the farm of the plaintiff and tried to close the passage at point 'X' which connects the Bhati Mines road with the farm land of plaintiff.
8. The defendants no. 1 & 2 claim this 40 Bighas and 4 Biswas of land as "ridge" and/or "reserved forest" belonging to Forest Department of GNCT of Delhi and seek to dispossess the plaintiff without due process of law.
9. It is stated this land was never handed over to the Forest Department, GNCTD by the Gaon Sabha Bhati but still the defendants intend to dispossess the plaintiff by use of force and might of State machinery and the suit land B is lying recorded in the name of Gaon Sabha Bhati but the plaintiff has accrued bhumidhari rights for which the case is going on.
10. In the circumstances, issue notice to the defendants.
11. Learned counsel for defendant No.3 has entered appearance. Let written statement/reply be filed within the statutory period with an advance copy to learned counsel for the plaintiff. Replication/rejoinder be filed within four weeks thereafter.
12. None has appeared on behalf of defendants No.1 and 2. Issue notice to defendants No.1 and 2 by all modes returnable before the Joint Registrar on 10.03.2022.



13. In the meanwhile the parties to maintain status quo qua the *possession* of the suit property/land as of today, till the next date of hearing.
14. Compliance of Order 39 Rule 3 CPC be made by plaintiffs within 10 days.
15. Upon completion of service/pleadings, the matter be listed before this Court.
16. Order dasti.

**YOGESH KHANNA, J.**

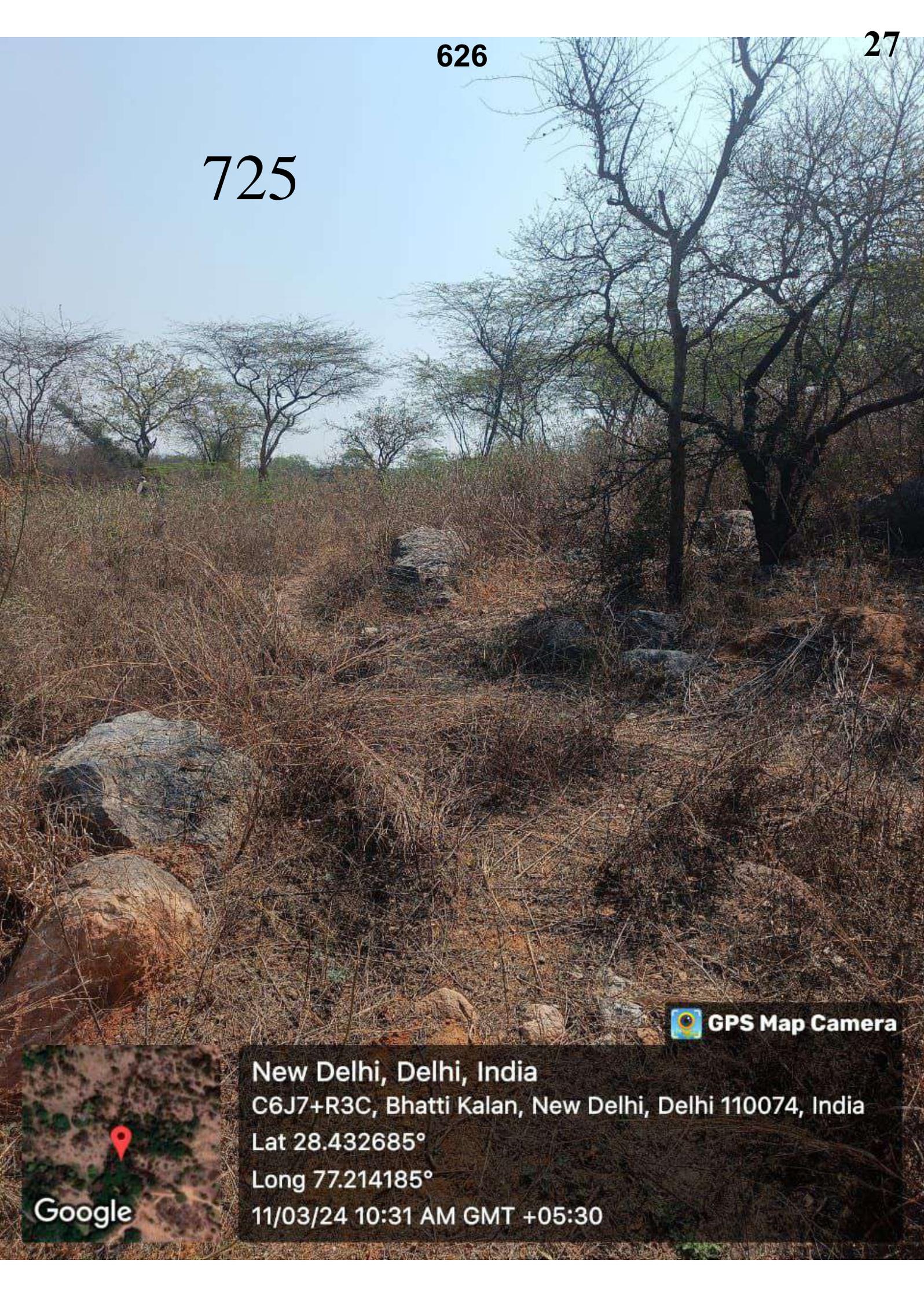
**DECEMBER 13, 2021**

*VLD*

626

27

725



 **GPS Map Camera**

New Delhi, Delhi, India  
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Lat 28.432685°  
Long 77.214185°  
11/03/24 10:31 AM GMT +05:30



725

 GPS Map Camera

New Delhi, Delhi, India  
C6J7+R3C, Bhatti Kalan, New Delhi, Delhi 110074, India  
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Google