

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

[Under Sections 18(1) read with Sections 14 & 15 of the
National Green Tribunal Act, 2010]

ORIGINAL APPLICATION NO.272 OF 2024

IN THE MATTER OF:-

DEEPANK KUMAR SHARMA & Ors. ... Applicant

Versus.

Union of India & Ors. ... Respondents

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New Delhi

DATED: 16-9-24

[VISHWENDRA VERMA] & [SHIVALI]

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REPLY ON BEHALF OF THE APPLICANT TO THE ADDITIONAL

AFFIDAVIT FILED BY THE RESPONDENT NO. 7 ALONGWITH

AFFIDAVIT

MOST RESPECTFULLY SHEWETH:

REPLY TO THE PARAWISE REPLY

1. That the contents of para 1 of the parawise reply of the additional affidavit need no comments.
2. That the contents of para 2 of the parawise reply of the additional affidavit are wrong and hence the same are denied.
3. That the contents of para 3 of the parawise reply of the additional affidavit need no comments.
4. That the contents of para 4 of the parawise reply of the additional affidavit are wrong and hence the same are denied. It is submitted that in para 6 the respondent No.7 categorically stated that the respondents 8 to 10 in connivance with each other used acid and thereafter cut the

trees. It is submitted that the respondent No.7 personally involved in illegal acts of the respondent No.8 to 10 and now want to take advantage of his own wrong. Even though the present additional affidavit smells of corruption by the respondent No.7 to save the respondent No.8 to 10. The averments mentioned in the reply affidavit dated 07.08.2024 is on oath and hence, by mere changing / and by filing additional affidavit, the same averments will not change in any manner.

5. That the contents of para 5 of the parawise reply of the additional affidavit need no comments and matter of record. It is clear from the averments mentioned in the para that the respondent No.7 did not discharge his duties diligently and sincerely thereby the respondent No.8 to 10 succeed to cut 180 mangoes trees and other trees from the land demarcated in the OA.
6. That the contents of para 6 of the parawise reply of the additional affidavit are wrong and hence the same are denied. It is submitted that if, the respondent No.7 discharge his duties diligently and sincerely in that circumstances the entire trees on the land will be in good position but due to the illegal acts of respondent No.7 and in connivance with respondent No.8 to 10 cut the healthy trees and thereafter cause loss to the environment.
7. That the contents of para 7 of the parawise reply of the additional affidavit are wrong and hence the same are denied except the quoting the Section 15 of the Act. Now the averment mentioned in the para clearly shows that the respondent No.7 trying to save the respondent no.8 to 10.

8. That the contents of para 8 of the parawise reply of the additional affidavit are wrong and hence the same are denied. It is submitted that the compensation is not in respect of the illegal acts to legalize the respondent No.8 to 10 acts. As per law it is required that the strict act should be taken against the respondent NO.7 for dereliction in the duties and also committed offences under the law in connivance with respondent NO.8 to 10 and the respondent No.7 is liable to be punished in accordance with law accordingly.
9. That the contents of para 9 of the parawise reply of the additional affidavit are wrong and hence the same are denied.
10. That the contents of para 10 of the parawise reply of the additional affidavit are wrong and hence the same are denied.
11. That the contents of para 11 of the parawise reply of the additional affidavit are wrong and hence the same are denied.
12. That the contents of para 12 of the parawise reply of the additional affidavit are wrong and hence the same are denied.
13. That the contents of para 13 of the parawise reply of the additional affidavit are wrong and hence the same are denied.

PRAYER

It is therefore most respectfully prayed that this Hon'ble court may graciously be pleased to dismiss the prayer made in the additional affidavit with heavy and exemplary cost in the interest of justice.

To grant any other and further orders which may be deemed fit and proper in the interest of the justice.

AND FOR THIS ACT OF KINDNESS THE APPLICANT, AS IN DUTY BOUND, SHALL EVER PRAY.

Deepank

Signature of the Applicant

New Delhi

DATED:

Vishwendra Verma & Shivali
[VISHWENDRA VERMA] & [SHIVALI]
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AFFIDAVIT

I, DEEPANK KUMAR SHARMA, S/o Shri Dinesh Kumar Sharma, aged about 38 years, R/o 1810, Mandi Railway road, Near Sarvodaya Inter College, Railway Road, Pilakhuwa, Tehsil Hapur, U.P.. Presently at New Delhi, do hereby solemnly affirm and state as under-

1. That I am the Applicant in the above mentioned matter and as such I am well conversant with the facts and circumstances of the case and hence I am competent to swear this affidavit.
2. That the contents of this reply has been drafted by my counsel as per instructions and I have been read over the contents thereof and I understood the same.



3. That the contents of this reply are true and correct to the best of my knowledge, information and belief, no part of it is false and no material has been concealed therefrom.

Deepank

DEPONENT

VERIFICATION:

1 8 SEP 2024

Verified at Delhi on this the day of September, 2024 that the contents of the aforesaid affidavit are true and correct to the best of my knowledge, information and belief, no part of it is false and no material has been concealed therefrom.

Deepank

DEPONENT

I identified the deponent who has signed in my presence



ATTESTED

NOTARY (Govt. of India)
Neelam Sharma
Advocate
21 No 16/A, Gate No. No.11,
Patiala House Courts,
New Delhi-110001
(M: 9899408301)

1 8 SEP 2024



Reply for Deepank Kumar Sharma & Ors. Vs. Union of India & Ors. O.A. No.272 of 2024

From: Vishwendra Verma (verma.vishwendra@yahoo.co.in)

To: akhileshsinghadvocate@gmail.com

Date: Wednesday 18 September, 2024 at 05:59 pm IST

Respected Sir,

Please find enclosed the reply to the additional affidavit filed by the respondent No.7, 8, 9 and 10



DEEPANK KUMAR SHARMA (4).pdf
359.3kB



DEEPANK KUMAR SHARMA (3).pdf
2.9MB



DEEPANK KUMAR SHARMA (2).pdf
2.3MB



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