

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

ORIGINAL APPLICATION NO. OF 2024

IN THE MATTER OF:

DEEPANK KUMAR SHARMA & ORS. ...APPLICANTS

VERSUS

UNION OF INDIA & ORS. ...RESPONDENTS

AMENDED REPLY ON BEHALF OF THE RESPONDENT NO.
10 TO THE ORIGINAL APPLICATION

MOST RESPECTFULLY SHOWETH:

PRELIMINARY OBJECTIONS:

1. That the applicants/petitioners did not come with clean hands before this Hon'ble Tribunal and concealed the real and actual facts of the case. Hence the present O.A. is not maintainable in eye of law. Hence the present O.A. is liable to be dismissed prima facie.
2. That the present answering respondent no. 10 has no concern with Khasra No. 2120, 2121, 2122, 2125, 2126, 2127, as well as Khasra No. 1083, 1084, 1089, 1090, 1093, 1094, and any Bagh/Garden/Park situated in the given khasra no. at

Mandawar, Chandak Road Bijnor (UP) as the answering respondent no. 10 was owner of Khasra no. **2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127** and **2128** out of which the Khasra No. **2120, 2121, 2122, 2125, 2126** and **2127** have been sold by the respondent no.10 to Mohd. Islam Rasheed S/o Abdul Rasheed on 28-01-2024 through sale deed dt. 28-01-2024 and the Khasra no. **1083, 1084, 1089, 1090, 1093, 1094**, were owned by respondent no. 8. The present answering respondent is not owner of the **1083, 1084, 1089, 1090, 1093, 1094**, Hence the present O.A is liable to be dismissed prima facie and the name of the present answering respondent should be deleted from the array of the party.

3. That the answering respondent has not cut any tree in his Khasra nos owned by him even all the trees are standing in Khasra no. **2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127** and **2128** the respondent no 9 is the cousin brother (son of Maus) of the respondent no 8 and 10. And the respondent no 8 and 10 come to the house of the respondent no. 9 sometimes. The petitioners/applicants have filed a lot of cases against the respondent no. 8 and 10. Respondent no. 8 resides in Saharanpur and respondent no. 10 resides at Pilakhuwa, Hapur

(UP) and due to long distance they stay at the house of the respondent no. 9 sometimes if they come to Bijnor. The applicants are in complex why the respondent no. 9 allows the respondent no. 8 and 10 to stay at his house and the applicants felt enmity with the respondent no. 8, 9 and 10. Hence the present O.A is liable to be dismissed prima facie.

4. That the present answering respondent no. 10 is never involved in cutting of trees situated in above said Khasra Nos and the applicants impleaded the present respondent no. 10 with ill motive to harass mentally/physically and financially to prevent the respondent no. 10 as the applicants is trying to grab the property of the answering respondent no.10 and for this purpose to create fear in the mind of the respondent no. 10 the applicants filed many cases against the present respondent no. 10. Hence the present O.A is liable to be dismissed prima facie.
5. That the present answering respondent no. 10 is a senior citizen retired from Health And Family Welfare Ministry from the post of Sr. scientist in 2018. The respondent no. 10 has given a huge amount to the applicant no. 1 to start a business in Bijnor but the applicant no.1 closed the Bakery started from the money of the respondent no. 10 and after instigation from his in laws, the

applicant no. 1, his wife namely Ankita and his mother Smt. Manju Sharma started misbehave with the present answering respondent to compel him to transfer all his properties in the name of applicants no 1 & 2. The applicant no.1 and his wife and his mother have tried to implicate the present answering respondent in false cases of sexual abuse of wife of applicant n0 1 and in its failure in sexual abuse of the domestic and in this regard a conspiracy was made by them. The answering respondent no. 10 has given complaint to the police and other authorities. The copy of sale deed dt. 28-01-2024 is annexed herewith as Annexure R10-A. The copy of complaint given by the respondent no. 10 to S.P Hapur and D.M Hapur R10-B and R10-C.

6. That the answering respondent has disowned the applicant no. 1 and 2 from his all movable and immovable properties as the behavior and conduct of the applicant no. 1 and 2 are too panic and painful to the respondent no. 10. The copy of newspaper and information to the D.M are annexed here with marked as annexure R10-D and R10-E. The answering respondent has filed the case before SDM, Dhaulana, Hapur as case no. T202411730602787/2024 against the applicant no. 1 due to his

misbehavior, misconduct, attempt to grab the property of the respondent no. 10. which copies annexed as Annexure R10-F. Hence the present O.A is liable to be dismissed prima facie.

7. That the applicants have filed many litigations against the respondent no. 8 and 10 to harass to create the terror in the minds of the respondent no. 8 and 10 such that the answering respondent will hand over his all movable and immovable properties to the applicant. The respondent no 10 has given a complaint to the SHO Kotwali Pilakhuwa against the applicant no. 1 which copies is annexed herewith marked as annexure R10-G. The CCTV footage in respect of illegal activities of wife and mother of the applicant no.1 in the property of the respondent no. 10 situated at Pilakhuwa, Hapur are annexed herewith marked as annexure R10-H.
8. That the applicant no. 1 has filed a case no 25/2024 before Sr. Civil Judge, Bijnor against the respondent no. 8 to 10 unnecessarily titled as Deepank Kumar Sharma V/s Dr. Devesh Kumar Sharma & Ors. Revision no. 22/2024 is filed by the applicant no.1 titled as Deepank Kumar Sharma & Anr. V/s Dr. Devesh Kumar Sharma & Ors and all its purpose its only to harass the respondent no 8 to 10. The copy of the cases are

annexed here with annexure R10-I (Colly). The applicant no. 1 and 2 filed a complaint no. 645/2024 before ACJM-2 Bijnor U/s 420, 467, 468, 469, 471, etc. at P.S. Mandawar against the respondent no. 8 to 10 titled as Deepank Kumar Sharma V/s Dr. Devesh Kumar Sharma & Ors. Except this before SDM (J) Bijnor a case no. T202413160103057 is filed titled as Deepank Kumar Sharma V/s Dr. Devesh Kumar Sharma etc. u/s 161/144 UP State Code.

9. That the applicant no.3 had filed also the cases against the respondent no. 8 and 10 with ill-motive to grab the property of the respondent no. 8 and 10. The applicant no.3 is associating with applicant no. 1 and 2 purposely with bad intentions. The applicant no. 3 filed the cases against the respondent no. 8 and 9. Having case no. 211/2009, 212/2009 and 2013/2009 titled as Raj Kumar Sharma V/s Dr. Devesh Kumar Sharma & Ors. In which Civil Appeal No. 80/2019, 81/2019 and 82/2019 titled as Devesh Kumar Sharma V/s Raj Kumar Sharma were filed which were allowed in favor of the respondent no. 8 and 10. Thereafter a Second Appeal No. 416/2023 was filed before Hon'ble High Court titled as Raj Kumar Sharma V/s Devesh Kumar Sharma. The applicant no. 3 filed a Civil Case No.

181/2023 titled as Raj Kumar Sharma V/s Devesh Kumar Sharma before Civil Judge Junior Division Bijnor U.P by manipulating forced and fabricated documents. Also applicant no.3 filed a Civil Case No. 109/2023 titled as Raj Kumar Sharma V/s Devesh Kumar Sharma & Ors. A Criminal Case having FIR No. 08/2022 U/s 420/467/468/469/471 IPC PS-Sherkot was registered against the applicant no. 3 and his brother Pradeep Kumar Sharma in respect of manipulation of documents upon the complaint of the respondent no. 8. In which anticipatory bail No. 174/2022 was filed before District And Session Judge which was dismissed and thereafter a Crl.m. Anticipatory Bail Application No. 1329/2022 was filed by the applicant no.3 in the Hon'ble High Court Allahabad. In enmity the applicant no.3 associated with applicant no. 1 and 2 purposely to grab the property of the respondent no. 8 & 10 and to extort money from the respondent no 8,9 and 10. Hence the present O.A. is liable to be dismissed prima facie. The copy of cases filed by the applicant no.3 are annexed herewith marked as annexure R10-J (Colly). Hence the present O.A. is liable to be dismissed prima facie.

PARAWISE REPLY:

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I & II. Needs no reply.

III. That in response to the present para it is submitted that the respondent no. 10 did not cut any tree in his owned Khasra no 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2127, 2128 and all trees are standing in the Khasra No. 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2127, 2128 and the respondent no 10 is neither owner nor contractor nor labor and not beneficiary of the Khasra No. 1083, 1084, 1089, 1090, 1093, 1094, hence there is no reason to cut the tree in Khasra No. 1083, 1084, 1089, 1090, 1093, 1094. And any Bagh/Garden/Park situated in the given Khasra No. at Mandawar, Chandak Road Bijnor (UP). It is specifically denied that the respondent no. 10 had already cut down approximately 30 trees and trying to cutting other trees also after using some acid. It is further submitted that the respondent no. 10 worships the trees and being Hindu never cut any Mango Tree. It is also submitted that the complaints given by the applicants against the answering respondent no. 10 are false, fabricated and manipulated if any.

IV. That in response to the present para it is submitted that the applicants filed the present para O.A. only to harass the

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respondents in enmity as many litigations are pending among the respondent no. 8 and 10 and applicants.

- V. That in response to the present para it is submitted that the applicants filed the present para O.A. only to harass the respondents in enmity as many litigations are pending among the respondent no. 8 and 10 and applicants.
- VI. That in response to the present para it is submitted that the applicants filed the present para O.A. only to harass the respondents in anmity as many litigations are pending among the respondent no. 8 and 10 and applicants.
- VII. That in response to the present para it is submitted that the applicants filed the present para O.A. only to harass the respondents in enmity as many litigations are pending among the respondent no. 8 and 10 and applicants.
- VIII. That in response to the present para it is submitted that the present answering respondent has no concern with the respondent no. 1 to 7. The applicants put the name of present respondent only to harass mentally/physically and financially to the respondent no. 10.

- IX. That in response to the present para it is submitted that the answering respondent has no concern with the cutting of trees in above said Khasra Nos.
- X. That in response to the present para it is submitted that the answering respondent has no concern with the cutting of trees in above said Khasra Nos.
- XI. That in response to the present para it is submitted that the answering respondent has no concern with the cutting of trees in above said Khasra Nos.

REPLY TO FACTS IN BRIEF:

1. That it is denied that the respondent no. 8 to 10 had already cut down approximately 30 trees and trying to cutting other trees also. It is submitted that any complaint is false and fabricated against the respondent no. 10.
2. That in response to the present para it is submitted that the respondent no. 10 is neither owner nor contractor nor labor and hence never cut any tree situated in Khasra Nos. 1083, 1084, 1089, 1090, 1093, 1094 and no tree is cut in Khasra No. 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128. It is made

clear that the respondent no 10 has sold the Khasra No. 2120, 2121, 2122, 2125, 2126, 2127. To Mohd. Islam Rasheed.

3. That in response to the present para it is submitted that the respondent no. 10 is neither owner nor contractor nor labor and hence never cut any tree situated in above said Khasra Nos. 1083, 1084, 1089, 1090, 1093, 1094.
4. That in response to the present para it is submitted that the respondent no. 10 is neither owner nor contractor nor labor and hence never cut any tree situated in above said Khasra Nos. 1083, 1084, 1089, 1090, 1093, 1094.
5. That in response to the present para it is submitted that the applicants are greedy people and never respect the relations and petitioner no. 1 and 2 are involved in the criminal activity against his father and Uncle. The respondent no. 10 is Father of the petitioner no. 1 and 2 but in greed of property they filed the several cases against his father and uncle purposely with ill motive to get the property in their hands very soon prior to death of their parents. The petitioners/applicants have filed many litigations to grab the property while the father of the applicant/petitioner no. 1 and 2 are disowned by his father i.e

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respondent no. 10 them from his property because of their misbehavior and misconduct to him.

6. It is denied that the applicants are having good relations with respondent no. 8 to 10. Further it is submitted that the answering respondent has not cut any tree in his part to the destroy the Mangoes Bagh.
7. That in response to the present para it is submitted that the answering respondent has not cut any tree in above said Khasra Nos.
8. That in response to the present para it is submitted that the answering respondent has no concern with the garden situated in above said Khasra Nos.
9. That in response to the present para it is submitted that the answering respondent has not cut any tree in above said Khasra Nos.
10. That in response to the present para it is submitted that the answering respondent has not cut any tree in above said Khasra Nos.
11. That in response to the present para it is submitted that the answering respondent has not cut any tree in above said Khasra Nos.

12. That in response to the present para it is submitted that the answering respondent has not cut any tree in above said Khasra Nos.

13. That in response to the present para it is submitted that the answering respondent has not cut any tree in above said Khasra Nos.

14. That in response to the present para it is submitted that the answering respondent has not cut any tree in above said Khasra Nos.

15. That in response to the present para it is submitted that the answering respondent has not cut any tree in above said Khasra Nos.

16. That the grounds taken by the applicants/petitioners are false, fabricated, manipulated, wrong hence strongly denied.

Limitation para is strongly denied as the present petition is filed after 6 months of the claimed date of cut of trees hence the present O.A. is liable to be dismissed.

Prayer part is highly objectionable hence strongly denied.

PAYER

It is, therefore most respectfully prayed that this Hon'ble Tribunal may kindly be pleased to dismiss the present O.A. with high cost upon the applicants/petitioners, in the interest of justice.

[Signature]

RESPONDENT NO.10

DATE 11/7/25
DELHI:

(THROUGH ADVOCATE)

[Signature]

AKHILESH KUMAR SINGH

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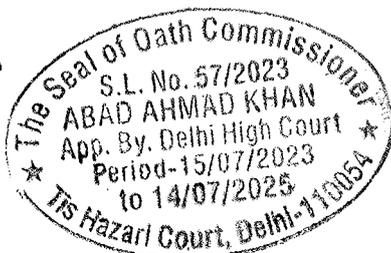
VERSUS

UNION OF INDIA & ORS. ...RESPONDENTS

AFFIDAVIT

I, DR. DINESH KUMAR SHARMA S/O LATE SHRI. DEV SHARMA MISHRA AGED ABOUT 66 YEARS R/O H.NO-1859/1, MANDI RAILWAY ROAD, NEAR SARVODYA INTER COLLEGE, RAILWAY ROAD PILAKHUWA, HAPUR U.P. 245304. PRESENTLY AT NEW DELHI do hereby solemnly and declare as under -

1. That I am the respondent no.10 in the above noted case and I am well conversant with the facts and circumstances of the case, Hence I am competent to swear the present affidavit.
2. That the accompanying application has been drafted by my counsel under my instructions and the contents may be kindly read as part and parcel of this affidavit which are explained to me in my vernacular language and not repeated herein for the sake of brevity.



3. That the contents of the para no.1 to a based on facts and circumstances and contents of para no. to para no. are based on legal advice.

I identified the deponent who has signed in my presence

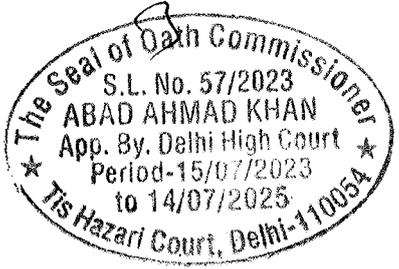
[Signature]
DEPONENT

Verification

11 JUL 2025

Verified at Delhi of this day of 10 July, 2025 that the contents of the aforesaid affidavit are true and correct to my knowledge, no part of it is false and nothing material has been concealed there from.

[Signature]
DEPONENT



CERTIFIED THAT THE DEPONENT: *Dr. Dinesh Kumar Sharma*
Shri/Smt./Km. *Dr. Dinesh Kumar Sharma*
No W/O D/O... *Dr. Dinesh Kumar Sharma*
Residing at... *Dr. Dinesh Kumar Sharma*
Notified by Oath Commissioner *Dr. Dinesh Kumar Sharma*
on 13/07/2025
That the contents of the Affidavit which have been read and explained to him/her are true and correct to his/her knowledge.

Oath Commissioner Delhi

11 JUL 2025

