

**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**

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**DELHI**

**THROUGH ADVOCATE**

**DATE 20.8.2024**

**AKHILESH KUMAR SINGH**

**CH. NO. 605, ROHINI COURTS DELHI**

**MOB. 7248517989**

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BEFORE THE HON'BLE NATIONAL GREEN  
TRIBUNAL  
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IN THE MATTER OF:

DEEPANK KUMAR SHARMA & ORS. ...APPLICANTS

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REPLY ON BEHALF OF THE RESPONDENT NO. 9 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. 9 has no concern with KhasraNo. 21119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128 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). The present answering respondent is not Owner of the above said Khasra Nos. 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 is the cousin brother (son of Mausii) of the respondent no 8 and 10 and they come as guest at 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. 9. The applicant's have already given the name of respondent no. 9 prior to it in some litigations while the



respondent no. 9 has no take or give with the applicants as well as respondent no. 8 and 10. Hence the present O.A is liable to be dismissed prima facie.

4. That the present answering respondent no. 9 is never involved in cutting of trees situated in above said Khasra Nos and the applicants impleaded the present respondent no. 9 with ill motive to harass mentally/physically and financially to prevent the respondent no. 9 to welcome the respondent no. 8 and 10 in his house. The respondent no. 9 even did not go to the garden are grow situated in above said Khasra Nos hence the present O.A is liable to be dismissed prima facie.

**PARAWISE REPLY:**

I & II. Needs no reply.

- III. That in response to the present para it is submitted that the respondent no. 9 is neither owner nor contractor nor labor and not beneficiary of the abovesaid properties in any way due to which there is no reason to cut the tree in the Khasra No's 21119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128 as well as Khasra No's. 1083, 1084, 1089, 1090, 1093, 1094, and any Bagh/Garden/Park situated in the given Khasra No.

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at Mandawar, Chandak Road Bijnor (UP). It is specifically denied that the respondent no. 9 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. 9 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. 9 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 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.

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- 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. 9.
- 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 No's.
- 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 No's.
- 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. 9.
2. That in response to the present para it is submitted that the respondent no. 9 is neither owner nor contractor nor labor and hence never cut any tree situated in above said Khasra Nos.
3. That in response to the present para it is submitted that the respondent no. 9 is neither owner nor contractor nor labor and hence never cut any tree situated in above said Khasra No's.
4. That in response to the present para it is submitted that the respondent no. 9 is neither owner nor contractor nor labor and hence never cut any tree situated in above said Khasra No's.
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. 9 is also uncle 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

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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 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 no concern with the destroying the Mangoes Bagh.
7. 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
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 no concern with the garden situated in above said Khasra Nos.
10. 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.



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11. 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.
12. 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 No's.
13. 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.
14. 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.
15. 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.
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.

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## PRAYER

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.

Delhi

Respondent No. 9

Date .20.0.2024

Through <sup>Acknowledged</sup> Advocate

Akhilesh Kumar Singh, Adv  
Ch No 605, Rohini Court  
Delhi

Mob: 7240517989

Email: akhileshsinghadvocate@gmail  
com

BEFORE THE HON'BLE NATIONAL GREEN  
TRIBUNAL  
PRINCIPAL BENCH AT NEW DELHI  
{Under Section 18(1) read with Sections 14 & 15 of the National  
Green Tribunal Act, 2010}  
ORIGINAL APPLICATION NO. OF 2024

IN THE MATTER OF:-

DEEPANK KUMAR SHARMA & ORS

....APPLICANT

VERSUS

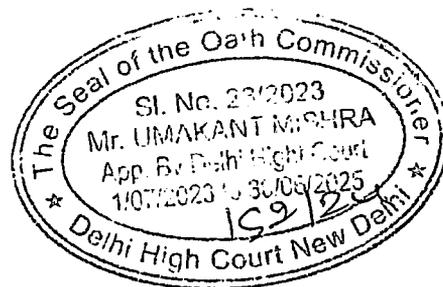
UNION OF INDIA & ORS.

.....RESPONDENTS

AFFIDAVIT

I, SANJAY SHARMA S/O LATE SHRI JAY KISHAN SHARMA  
AGED ABOUT 57 YEARS R/O BALAWALI ROAD, OPP:  
GOVERNMENT CHC HOSPITAL MANDAWAR, DISTRICT  
BIJNOR, (U.P.) 246721. presently at New Delhi, do hereby solemnly  
affirm and state as under:

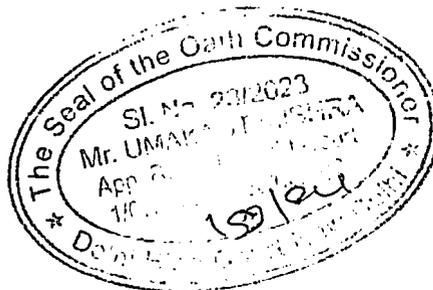
1. That I am the respondent No. 9 in the above noted case and  
am well conversant with the facts of the case and is competent  
to swear this affidavit.
2. That the contents of the accompanying reply have been drafted  
by my counsel under my instructions and the contents of the  
same are true and correct and the same may kindly be read as  
part and parcel of this affidavit.



*Sanjay Sharma*

3. That the contents of para no. 1 to 4 a based on facts and circumstances and contents of para no. 5 to para no. 16 are base on legal advise.

Sanjay Sharma  
DEPONENT



**VERIFICATION:**

Verified at Delhi on this \_\_\_\_\_ day of August 2024, that the contents of the above affidavit are true and correct to the best of my knowledge and nothing material has been concealed therefrom.

*Attesting*

Identify the deponent who has signed  
thumb impression in my presence.

21 AUG 2024

Sanjay Sharma  
DEPONENT

CERTIFIED THAT THE DEPONENT  
Shri/Smt./Kms. \_\_\_\_\_  
S/o. W/o. D/o. Ch. \_\_\_\_\_  
R/o. \_\_\_\_\_  
Identified by \_\_\_\_\_  
Has signed \_\_\_\_\_  
on \_\_\_\_\_  
that the contents of the affidavit which have  
been read to him are true and  
correct to his knowledge.

21 AUG 2024  
152/24

Oath Commissioner Delhi High Court



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C.C. No. ....

FIR No. ....

U/S .....

P.S. ....

IN THE COURT OF

Before National Green Tribunal  
New Delhi

Suit / Appeal No. \_\_\_\_\_

JURISDICTION OF 202

In re :-

Deepank Kumar Sharma & ors Plaintiff(s) Or Petitioner(s)  
Appellant(s) Complainant(s)

**VERSUS**

U.O.I & ors Defendant(s) / Respondent(s) / Accused

KNOW ALL to whom these present shall come that I/ We Sanjay Sharma & ors  
Late Sh. Jay Kishan Sharma & ors

The above named Road opp. Govt LSHC Hospital do hereby appoint  
Respondent No 9 Minor U.P

**AKHILESH KR. SINGH**

Advocate

Ch. No.-605, Rohini Court,

Delhi, M.-7248517989

E No  
D/1045/04

(herein after called the advocates to be my/our Advocate in the above noted case authorize him:-

To act, appear and plead in the above-noted case in this court or in any other court in which the same may be tried or heard and also in the appellate court including High court subject to payment of fees separately for each court by me/us.

To sign file, verify and present pleadings, appeals cross-objections or petitions for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage.

To file and take back documents, to admit and/or deny the documents or opposite party.

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 execution proceedings on paying separate fee.

To deposit, draw and receive money, cheques, case and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution on the said case.

Wafar not Available Atching

To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.

And I/ We the undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own facts, as if done by me/us to all intents and purpose.

And I/We undertake that I/ We or my/our duly authorised agent would appear in court and all hearings and will inform the Advocate for appearance when the case is called.

And I/We undersigned do hereby agree not to hold the advocate of his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the court shall be of the Advocate which he shall receive and retain for himself.

And I/We undersigned do hereby agree that in the event of the whole or 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. The fee settle is only for the above case and above Court. I/We hereby agree that once the fee is paid, I/We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us

IN WITNESS WHERE OF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this 3rd day of August 2024  
Accepted subject to the terms of the fees

Ak Singh  
Advocate

618402900533 Client Sanjay Sharma Client

I Identify the Signature/Thumb Impression of the Below Mentioned Person,

Who Has been Signed in my presence. The Client.

Ak Singh

5:40 4G LTE



Akhilesh Singh has shared a file with you

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Akhilesh... 3:08 PM   
to verma.vishw... ^

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akhileshsinghadvocate@gmail.com  
To verma.vishwendra@yahoo.co.in  
Date Aug 21, 2024, 3:08 PM  
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Reply