

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 432/2025**

**IN THE MATTER OF: -**

ASHISH JAIN

... APPLICANT

VERSUS

PUBLIC WORKS DEPARTMENT AND ANR.

... RESPONDENTS

**I N D E X**

*ND 011 15/04/2026*

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Delhi

Date: *30*.03.2026

*Bipul Kumar Mishra*

**Bipul Kumar Mishra**  
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Counsel for Respondent NO. 2  
B-06, LGF, Plot NO. 37  
Kaushambi, Ghaziabad, 201010,  
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**REPLY ON BEHALF OF RESPONDENT NO.2 SETHI CONSTRUCTIONS**

**MOST RESPECTFULLY SUBMITTED:**

The answering respondent is a proprietorship firm and is being represented through Mr. Dharmendra Kumar Mishra who is the authorised to sign, verify, file and pursue the present matter. A copy of the letter of authority in favour of Mr. Dharmendra Kumar Mishra is annexed herewith as **Annexure A** .

Without prejudice to one another the Respondent no. 3 raises the following

**Preliminary Objections**

A.That it is submitted that the answering respondent undertook the road repair work from the PWD. The road construction work was done with the help of cold milling machine, which scratches the road and directly put the entire debris into the moving truck (dumper). There is no human involvement in scratching the road or in putting the debris somewhere else. There is no question of putting debris in the pedestrian path or in the green belt alongside road. The Application is completely devoid of merits and is liable to be dismissed on this ground itself.

B. That the present Application is nothing but an arm twisting method by which the Petitioner wants to extract money from Respondent no. 2 under the garb of present litigation.

**Reply on Merits**

1. That the contents of para 1 to 3 of the application is a matter of record, however, anything contrary to record is totally wrong and denied.

4-15. That in reply to para 4 to 15 of the application it is submitted that the Strengthening/ Re-carpeting Work of Road No. 58A (Master Somnath Marg), Surajmal Vihar, Delhi was carried out under supervision of P W D, Delhi i.e., Respondent No. 1/ through the answering respondent i.e. M/s Sethi Constructions i.e. Respondent No.2. The work include scratching of road, DBM (Dense Bitumen Mecedum) and DBC( Dense Bitumen Surface). The entire process is done by a specially designed moving machine which scratches the road and directly put the debris in the moving truck( dumper). On collection of debris the said debris is sent to plant in order to mix fresh bitumen and other road material. After the mix is prepared it is laid down on the scratched road and final shape of the road is done by roller. The entire process is mechanized in the scientific manner as per protocol. There was no incontinence as alleged was suffered by the local people. It is denied that the road is broken. Photograph of the road is attached herewith as **Annexure B**. The statement of Applicant regarding violation of environmental statutory rules by the Answering Respondent is vehemently denied. The answering respondent always follow statutory rules like Solid Waste Management Rules 2016, Construction &

Demolition Waste Management Rules 2016, Delhi Preservation of Trees Act 1994 and other precautionary principles etc.

16. That the contents of para 16 of the application as stated are not admitted. It is most respectfully submitted that the answering respondent has not done anything wrong which comes within the purview of section 14 of the NGT Act, 2010.

**17. Reply to Grounds**

- A. That the contents of Ground A of the appeal is totally wrong and denied. No debris or Malba has been put on any green field by the answering respondent no.2 as alleged. As stated above the entire road repair work was done by highly upgraded machine which leaves no scope of putting Debris/Malba at any place. In fact, the machine scratches the road and the material is loaded directly into trucks, which is processed and laid on the road for construction, hence, there is no violation of Solid Waste Management Rules 2016 as alleged.
- B. In reply to the ground B of the application it is submitted that since there is no dumping of debris/malba done by the answering respondent there is no damage to ecological growth.
- C. That ground C of the application is totally wrong and denied.
- D. That the ground D of the application is totally misconceived, wrong and denied. The answering respondent has completed its work as per satisfaction

of PWD Delhi. The answering respondent has not done any act which violates the fundamental right of any one.

E. That the ground E of the application is totally wrong and denied.

Prayer clause to the application is totally wrong and denied.

### Prayer

In view of the aforesaid facts and circumstances and in the interest of justice , it is most respectfully prayed that this Hon'ble Court may be pleased to

- A. Dismiss the present application with exemplary cost
- B. Any other or further order(s) which this Hon'ble Tribunal deems fit and proper may also be passed.

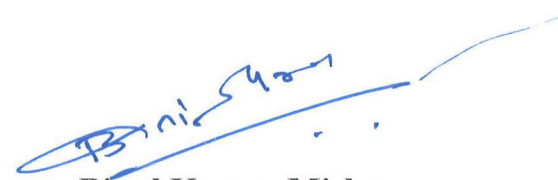
It is prayed accordingly.

New Delhi  
Date: \_\_.03.2026



Respondent NO. 2

### THROUGH



**Bipul Kumar Mishra,**  
Counsel for Respondent NO. 2  
B-06, LGE, Plot NO. 37  
Kaushambi, Ghaziabad, 201010,  
Mobile No.9818020554  
[bipulmishra2003@yahoo.com](mailto:bipulmishra2003@yahoo.com)

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AFFIDAVIT

I, Dharmendra Kumar Mishra S/O Sh. Ram Nath Mishra, aged about 45 years, r/o A-323, Cabin A, Near Railway under pass Shalimar Village, New Delhi -110088, do hereby solemnly affirm and declare as under:-

1. That I am duly authorized to pursue the present matter by the Respondent no. 2 and being aware of the facts of the case I am competent to depose and swear the present affidavit
2. That I have gone through the contents of the accompanying reply to the application and have understood the same. The reply has been drafted on my instructions by my counsel and I state that the contents of the reply are true and correct to my knowledge and no part of it is false.

*[Signature]*  
DEPONENT

30/26  
The Secy. /Joint Commissioner  
Sl. No. 04/2025  
KAVITA  
App. By Delhi High Court  
15/05/2025 to 14/05/2027  
K.K.D. Court Delhi-110082

I identify the deponent who has signed/  
put thumb impression in my presence

28 MAR 2026

Verified at New Delhi on this \_\_\_\_\_ day of March, 2026 and that the contents of the above affidavit are true to the best of my knowledge and belief and nothing false has been stated therein.

*[Signature]*  
DEPONENT

CERTIFIED THAT THE DEPON.  
S/O, W/o, L/o, Sh. *Dharmendra Kumar Mishra*  
Identified By *Ram Nath Mishra*  
has solemnly Affirmed before me at Delhi  
on \_\_\_\_\_ at Sl. No. *30/26*  
That the contents of the affidavit which  
have been read over & explained to him/her  
are true & correct to his/her knowledge.

28 MAR 2026

Cod. Commissioner KKD Court, Delhi



51 Annexure - A 6  
**SETHI CONSTRUCTION**  
REGD. GOVT. CONTRACTORS

Regd. Office : A-323, Cabin A, Near Railway Underpass,  
Shalimar Village, New Delhi - 110088  
Phone: 011-27495949  
Mobile : 9910099655,8800394346

GST NO. : 07BAOPS3414D2ZP

Date: 26th November, 2025

Dear Sir/Madam,

I, **Guneet Singh Sethi**, Proprietor of M/s **Sethi Construction**, having its registered office at BQ-43, Shalimar Bagh, New Delhi – 110088, do hereby authorize **Mr. Dharmendra Kumar Mishra** (Aadhaar No. 403769647004) to appear, represent, sign documents, file petitions/affidavits, receive notices, and take all necessary steps on behalf of the firm in the matter titled:

**Ashish Jain vs. PWD & ANR O.A. No. 432/2025**

**Court** : Hon'ble National Green Tribunal, New Delhi

The said authorized representative is fully empowered to act, sign, submit, and receive all documents, papers, and communications related to the above-mentioned matter on behalf of the firm.

This authority is granted as per internal approval of the firm and shall remain valid until revoked in writing.

Yours faithfully,

For Sethi Construction

**For Sethi Construction**

  
**Proprietor**

(Guneet Singh Sethi)  
Proprietor





