

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
(ORIGINAL JURISDICTION)

I.A No. 542 of 2024

IN

ORIGINAL APPLICATION NO. 1270 OF 2024

IN THE MATTER OF

Imran Ali

... Applicant

//Versus//

Ministry of Environment,
Govt. of Uttar Pradesh & Ors

... Respondents

N.D.O.H. 13.02.2025

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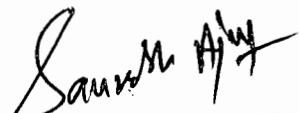
S. No.	Descriptions	PAGES
1.	Reply of I.A. No. 542 of 2024 on behalf of Respondent Nos. 5, 6 and 7	
2.	Proof of Service	

Place: New Delhi

Dated: 31-01-2025

RESPONDENTS

Through



SAURABH AJAY GUPTA

Advocate for Respondent Nos. 5, 6, & 7
Chamber No. 79, A. K. Sen Block
Supreme Court of India
New Delhi-110001.
chambersofsaaurabhajaygupta@gmail.com
9910297074

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**REPLY ON BEHALF OF RESPONDENT NO. 5, 6 & 7 TO I.A.
NO. 542 OF 2024 FILED BY THE APPLICANT**

MOST RESPECTFULLY SHOWETH:

1. That I am the Respondent No. 5 in the above-captioned matter and have read the I.A No. 542 of 2024 filed by the Applicant. I am fully conversant with the facts of the case and competent to file this Reply for myself and on behalf of the Respondents No. 6 & 7, hereinafter referred to as the 'Respondents'.

2. That at the outset, the Respondents deny all allegations and contentions raised in the Interim Application unless specifically admitted hereunder. For the sake of brevity, the Respondents rely on the contents of the Counter Affidavit filed in response to the Original Application and pray that the same be read as part and parcel of this reply.

3. That the allegations regarding encroachment, environmental damage, or illegal activities are unfounded and devoid of merit. The Ld. Civil Court (SD), Bijnor vide judgment and order dated 09.12.2015 passed in Civil Suit No. 586 of 2013 and Ld. District Court, Bijnor vide judgment and order dated 28.04.2018 passed in Civil Appeal No. 14 of 2018, observed that the land in question is not a pond or barren land as alleged and also, conclusively established the private ownership and lawful status of the land in question.

4. That the Respondents reiterate that permissions for construction were duly obtained from the Nagar Palika Parishad, Kiratpur, as annexed alongwith the counter affidavit.
5. That the entries in the Khatauni of 1359 Fasli relied upon by the Applicant lack legal validity, as observed in the judgment of the Ld. District Judge, Bijnor in his order dated 28.04.2018 passed in Civil Appeal No. 14 of 2018.
6. That it is humbly submitted that a Second Appeal Defective (SAPLD) No. 330 of 2020 concerning the land in question is currently pending before the Hon'ble High Court of Judicature at Allahabad.
7. That the Respondents categorically deny any destruction of natural resources or violation of environmental laws. The claims of the Applicant are speculative and unsupported by evidence.
8. That the Respondents disputes the claim that the balance of convenience lies in favour of the Applicant. On the

contrary, halting the construction will result in unnecessary delays, financial loss, and inconvenience to the Respondents, who have acted in accordance with prevalent laws of the land. The Applicant has not demonstrated how the alleged convenience favours them over the Respondents.

9. That the Respondents contend that the present Application is neither bona fide nor in the interest of justice. It appears to be an attempt to hinder a lawful and duly approved project under the guise of protecting public interest. Such actions are detrimental to the Respondents and lack genuine merit.

10. That the Respondents refute the claim that grave prejudice will be caused to the people living around the area if the Application is not allowed. The Respondents assert that the construction has been planned and executed with due regard to environment and community welfare considerations. Conversely, the Respondents will

suffer undue prejudice and hardship if the Application is allowed without substantiated grounds.

PRAYER

It is therefore, most humbly prayer that this Hon'ble Tribunal may be graciously pleased to:

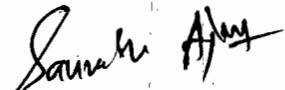
- a. Dismiss the Stay Application bearing I.A. No. 542/2024 filed by the Applicants with cost as the same is bereft of any merit; and
- b. Pass any other orders as deemed fit and proper in the facts and circumstances of the case.

Place: New Delhi

Dated: 31.01.2025

RESPONDENTS

Through



SAURABH AJAY GUPTA

Advocate for Respondent Nos. 5, 6, & 7

Chamber No. 79, A. K. Sen Block

Supreme Court of India

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AFFIDAVIT

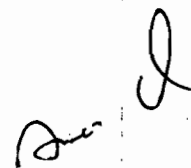
I, Aman Goel, aged about 42 Years, S/o Sh. Pradeep Goel, R/o Near chhatri Wala Kuan Mohalla Mahajan, Kiratpur, Najibabad, Bijnor, U.P- 246731 do hereby solemnly affirm and state as under:

1. That I am the Respondent No. 5 in the above-captioned matter and have read the I.A No. 542 of 2024 filed by the Applicant. I am fully conversant with the facts of the case and competent to swear this Affidavit for myself and on behalf of the Respondents No. 6 & 7, hereinafter referred to as the 'Respondents'.




SANJAY KUMAR
 Notary, Bijnor (U.P.)

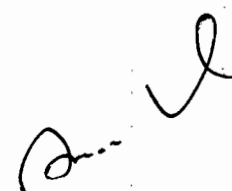
- 2. That the accompanying reply to the Stay Application filed by the Applicants have been drafted by the Counsel of the Answering Respondents under my instructions which are true and correct to the best of my knowledge.
- 3. That the accompanying reply has been filed in the interest of justice.



DEPONENT

VERIFICATION:

Verified at Bijnor on this the 21st day of January, 2025 that the contents of the above Affidavit are true and correct to the best of my knowledge and belief, and nothing material has been concealed therefrom.



DEPONENT



Sworn before me on this 21st day of Jan, 2025
 by Sri Aman Chel
 who has been identified by Sri Avlesh Kumar
 who is personally known to me Agarwal Advocate
 whose signature is attached appended

Sanjay Kumar
 Notary BUNOR (U.P.)

21-1-25
 [Faint handwritten notes and stamps]



saurabh ajay <chambersofsaaurabhajaygupta@gmail.com>

Service Counter Affidavit and Reply on behalf of Respondent No. 5, 6 & 7 in OA No. 1270 of 2024 Titled Imran Ali vs Ministry of Environment

1 message



saurabh ajay <chambersofsaaurabhajaygupta@gmail.com>
To: imran.hrln@gmail.com, eonppkiratbi-up@nic.in

Fri, Jan 31, 2025 at 11:30 AM

PFA copies of Counter Affidavit and Reply on behalf of Respondent No. 5, 6 & 7 in OA No. 1270 of 2024 Titled Imran Ali vs Ministry of Environment

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Regards,
SAURABH AJAY GUPTA
Advocate

2 attachments

-  **REPLY On behalf of R 5, 6 & 7 OF I.A. NO. 542 OF 2024.pdf**
213K
-  **COUNTER AFFIDAVIT On behalf of R 5, 6 & 7.pdf**
11758K