

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH AT NEW DELHI****I.A. NO. 561 OF 2025****IN****ORIGINAL APPLICATION NO. 04 OF 2025****IN THE MATTER OF:**

SUSHIL RAGHAV

... APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS.

... RESPONDENTS

AND IN THE MATTER OF:

M/S INDU TIMBER PRODUCTS PVT. LTD

...INTERVENOR

INDEX

S.NO.	PARTICULARS	PG.NO.
1.	Reply to I.A. No. 561 of 2025 dated 18.06.2025 on behalf of the Applicant	388-393
2.	<u>ANNEXURE A-1</u> A copy of the screenshot of the Khasra map superimposed with the 1976 UPSIDA map	394
	Proof of service	395

THROUGH

RAHUL CHOUDHARY

**SHREEPURNA DASGUPTA
ADVOCATES**

COUNSELS FOR THE APPLICANT
N-73, Lower Ground Floor
Greater Kailash-I,
New Delhi- 110048
Phone:- 9312407881
Email: litigation@dclawchambers.com

PLACE: NEW DELHI**DATE:- 25.11.2025**

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

**I.A. NO. 561 OF 2025
IN
ORIGINAL APPLICATION NO. 04 OF 2025**

IN THE MATTER OF:

SUSHIL RAGHAV ... APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS. ... RESPONDENTS

AND IN THE MATTER OF:

M/S INDU TIMBER PRODUCTS PVT. LTD ...INTERVENOR

**REPLY TO I.A. NO. 561 OF 2025 DATED 18.06.2025 ON BEHALF OF
THE APPLICANT**

MOST RESPECTFULLY SHOWETH

1. That the above-titled Original Application has been filed by the Applicant herein under Section 14, 15 and 20 of the National Green Tribunal Act, 2010 raising substantial questions related to the environment arising out of the illegal construction activities undertaken by different authorities and local residents on 'Park' in Site IV Industrial area, Sahibabad, Ghaziabad. The area where constructions and other activities are happening are recorded as 'Park' in the layout map of Site IV Sahibabad, Ghaziabad, prepared by Uttar Pradesh State Industrial Development Authority (UPSIDA) prepared in 1976. Site IV is an industrial area in Ghaziabad which is owned by the UPSIDA.

2. That the above-titled I.A. No. 561 of 2025 dated 18.06.2025 has been filed by M/s Indu Timber Products Pvt. Ltd. (hereinafter referred to as 'Intervener') seeking intervention in the above-titled Original Application and claiming that the factory located at S-18/5, Site IV, Sahibabad, Ghaziabad belongs to them since 1991. Through this present Reply, the Applicant seeks to file its reply and objections to the contentions made by the Intervener. At the outset, the Applicant denies all the contentions and averments made in the above-mentioned I.A. dated 18.06.2025 unless expressly admitted or are a part of matter of record.

3. That the present dispute raised by the Intervener is with respect to Serial No. a of the Table submitted by the Applicant in Para 7 of the Original Application i.e. *"Land earmarked as 'Park' situated at 'A' block, right side of plot No. A-46, north side of Central Electronic Limited (CEL), behind plot No. C-18, D-16/1, D-16, D-17, D-18, D-19, D-20 and near Jhandapur village at Site IV industrial area Sahibabad, Ghaziabad bearing khasra numbers 77, 92, 94, 95, 96, 97, 98, 99, 101, 102 and 103 admeasuring 5.845 acres. This park is commonly known as 'Jhandapur Park' or 'CEL Park'".* As per the contention of the Intervener, the Khasra No. bearing 92 and 93 are where their industry is set up belongs to them, and is not a part of the said Park.

REPLY TO THE I.A.:

4. That the Intervener has not submitted any document records to show that the Khasra No. 92 and 93 on which their plot is claimed to be standing are in their ownership, and has also not stated the total area of the plot. Further,

as claimed by the Intervener, no such factory was found operational. Also, the Intervener has not annexed any map as well to show that the plot S-18/5 is existing on the Khasra No. 92 and 93. It is submitted that as per the map of the UPSIDA, since parts of Khasra No. 92 and 93 is part of the land inside the park, no relief can be claimed by the Intervener.

5. That no such plot 'S-18/5' is in existence in the park mentioned above, as there is no 'S Block' plot in that area where the Intervener states the existence of its factory. On a brief glance at the map annexed by the Applicant at Pg 44, where Park No. 'a' (Para 7.a, Original Application) exists, it can be seen that there are plots such as C-18, D-16/1, D-16, D-17, D-18, D-19, D-20 surrounding the park and a plot of Central Electronics Ltd. on the left. However, no 'S-18/5' in existence. If there are other plots such as S-18/1- S-18/4 present, the Intervener must furnish details of existence of those particular industries. Further, as per the original master plan provided by Joint Committee at Pg 121, no such plot for S-18/5 is in existence. It is submitted that since maps relied on by the Applicant and the Joint Committee are of the Respondent No. 2, their response is necessary for further adjudication.

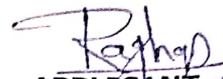
6. That the UPSIDA should clarify as to the status of plots on Khasra No. 92 and 93 according to the response of the UPSIDA in letters mentioned in Pg 336 to 340. Further, misleading statement has been made by the Applicant because the Hon'ble Additional Civil Judge in ***UPSIDA v. Mukesh [O.S. No. 548/1991]*** dated 2.09.1998 had rejected both the claims of the

UPSIDA as well as the Intervener, as no one could prove their claim. Therefore, the legal existence of the factory of the Intervener is questionable at best, and the response of the UPSIDA is important in the present case. As per the knowledge of the Applicant, the factory is actually set up at Khasra No. 94, 95 and 77, and a small portion is overlapping on Khasra No. 92 and 93.

A copy of the screenshot of the Khasra map superimposed with the 1976 UPSIDA map is annexed herewith as **ANNEXURE A-1**.

7. That it is pertinent to note as per the directions of the Hon'ble High Court in *M/s Indu Timber Products Pvt. Ltd. v. State of U.P. & Ors.* [W.P. (C) No. 3744 of 2025] vide order dated 12.04.2025, it was directed by the Hon'ble High Court that the UPSIDA will initiate action against the Intervener strictly in accordance with the law. It is submitted that as of date, no action has been taken against the Intervener by the UPSIDA despite being aware about the illegal structures of the Intervener. Therefore, the Applicant submits that a satellite survey must be undertaken to bring clarity to the situation about the legal existence of the plot of the Intervener, which the Hon'ble Additional Civil Judge had also observed in the above-mentioned case at Para 6.
8. That therefore, this Hon'ble Tribunal may consider the above-mentioned submissions on behalf of the Applicant for further adjudication of the matter.

9. Pass any other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the instant case.


APPLICANT

THROUGH



RAHUL CHOUDHARY



SHREEPURNA DASGUPTA

ADVOCATES

COUNSELS FOR THE APPLICANT

N-73, LOWER GROUND FLOOR,

GREATER KAILASH-I,

NEW DELHI-110048

MOBILE NO: 9312407881

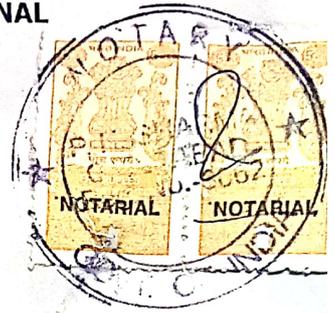
Email: litigation@dclawchambers.com

Place: New Delhi

Date: 25.11.2025

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

I.A. NO. 561 OF 2025
IN
ORIGINAL APPLICATION NO. 04 OF 2025



IN THE MATTER OF:

SUSHIL RAGHAV

... APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS.

... RESPONDENTS

AND IN THE MATTER OF:

M/S INDU TIMBER PRODUCTS PVT. LTD

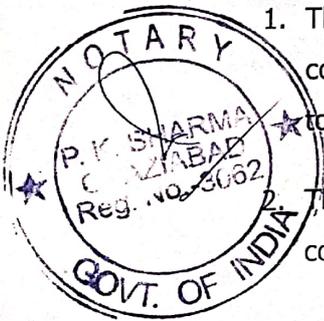
...INTERVENOR

AFFIDAVIT

I, Sushil Raghav, aged about 38 years, S/o Shri Ratan Singh, R/o 226, Karkar Model Post, Sahibabad, Site-4 Ghaziabad, do hereby solemnly affirm and declare as under:

1. That I am the Applicant in the above titled Original Application and I am conversant with the facts and circumstances of the case and competent to swear this affidavit.

That the contents of the accompanying Reply to the I.A. are true and correct and nothing material has been concealed therefrom.



Raghav
DEPONENT

VERIFICATION

Verified on this ___ day of _____ 2025 that the contents of the present Affidavit are true and correct to my knowledge and belief and nothing material is concealed therefrom.

Raghav
DEPONENT

7 ATTESTED, 15-11-25
No. Dated.
Certified that Documents Affidavit Shri. *Sushil Raghav*
Identified By Shri. &

P.K. SHARMA
Advocate
Notary Ghaziabad
(GOVT. OF INDIA) 15-11-25

ANNEXURE A-1

Following is the screenshot of the Khasra map superimposed with the 1976 UPSIDA map showing portion of Khasra No. 92 and 93 in 'Park'





395

Litigation . <litigation@dclawchambers.com>

Copy of Reply on behalf of the Applicant in OA No. 04 of 2025 Sushil Raghav Versus. State of UttarPradesh & Ors.

1 message

Litigation . <litigation@dclawchambers.com>

Tue, Nov 25, 2025 at 4:27 PM

To: bhanwar jadon <bhanwar09jadon@gmail.com>, sthaviasthana@gmail.com, malak@malakbhatt.com

Dear Sir/madam,

Please find attached- Copy of Reply on behalf of the Applicant in OA No. 04 of 2025 Sushil Raghav Versus. State of UttarPradesh & Ors.

Thanks & Regards
Counsel for the Applicant

**Reply on behalf of the Applicant.pdf**

1204K