

**OFFICE OF THE
PRINCIPAL CHIEF CONSERVATOR OF FORESTS
FOREST DEPARTMENT, GOVERNMENT OF HARYANA**
C- 18, Van Bhawan, Sector- 6, Panchkula, Tel./Fax +91 1722563988, 2563861,
Email.: cffcpanchkula@gmail.com

No.: **D-I-490/2693**

Date: **13-08/2021**

To

Consultant (Judicial)
National Green Tribunal
New Delhi

Sub.: Action taken report on order of Hon'ble National Green Tribunal in O. A. No. 04 of 2013 titled as Sonya Ghosh Vs State of Haryana & Ors. And O. A. No. 28 of 2015 titled as Haryali Wefare Society Vs. Union of India & Ors.

Hon'ble National Green Tribunal has passed an order on 26.08.2020 in O. A. No. 04 of 2013 titled as Sonya Ghosh Vs State of Haryana & Ors. And O. A. No. 28 of 2015 titled as Haryali Wefare Society Vs. Union of India & Ors. The operative part of the order is as under:

"7. Learned Additional Advocate General for the State of Haryana submits that forest areas since been identified, steps are being taken for restoration by removing the encroachment which will require some further time. Accordingly, we grant further with a direction that prompt action be taken for enforcement of law and further status report as on 31.01.2021 may be filed before the next date by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF."

The action taken report was inadvertently emailed at ngt.filing@gmail.com on 12.04.2021. The same is again sent herewith at judicial-ngt@gov.in with attachments for further necessary action please.

Encl. as above

13/8/21
Addl. Principal Chief Conservator of Forests (FCA)
Haryana, Panchkula

**Office of the
Principal Chief Conservator of Forests
Forest Department, Government of Haryana**

C- 18, Van Bhawan, Sector- 6, Panchkula, Tel./Fax +91 1722563988, 2563861,
Email.: cffcpanchkula@gmail.com

No.: D-I-499/1247

Date: 12-04-2021

To

Consultant (Judicial)
National Green Tribunal
New Delhi

Sub.: Action taken report on order of Hon'ble National Green Tribunal in O. A. No. 04 of 2013 titled as Sonya Ghosh Vs State of Haryana & Ors. And O. A. No. 28 of 2015 titled as Haryali Wefare Society Vs. Union of India & Ors.

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"7. Learned Additional Advocate General for the State of Haryana submits that forest areas since been identified, steps are being taken for restoration by removing the encroachment which will require some further time. Accordingly, we grant further with a direction that prompt action be taken for enforcement of law and further status report as on 31.01.2021 may be filed before the next date by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF."

As directed by Hon'ble National Green Tribunal, the status report received from Conservator of Forests, South Circle, Gurugram is enclosed herewith for further necessary action please.

Encl. as above

V. Anwar - 09.4.2021
Principal Chief Conservator of Forests (HoFF)
Haryana, Panchkula

Haryana Forest Department
Office of Conservator of Forest, South Circle,
Forest Complex , Near Court, Gurugram, Tel. 0124-2320981
Email: cf.gurgaon@gmail.com

No.: 38

Dated: 07.04.2021

To,

P.C.C.F, Haryana,
Van Bhawan, Panchkula.

Sub.: In the matter of Sonya Ghosh Vs. State of Haryana & Ors. and Haryali Welfare Society Vs. Union of India & Ors. in OA No. 04/2013 (Suo Moto) (M.A. No. 186/2013, M.A. No. 568/2013, M.A. No.737/2013, M.A. No.74/2014, M.A. No.75/2014 & M.A. No. 787/2014) and OA No. 28/2015 (MA No. 61/2015).

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In the matter of Sonya Ghosh V/s State of Haryana in OA no 04 of 2013 the reports of Committee constituted vide orders of Additional Chief Secretary, Govt. of Haryana, Forest & Wildlife Department, No. 1495-Ft-I-2019/9013 dated 08.07.2019 was submitted vide your office letter no D I-490/6213 dated 18.06.2020 and D I 490/7242 dated 25.8.2020 in compliance of Hon'ble National Green Tribunal order dated 23.10.2018. The same has been accepted by the Hon'ble Tribunal.

After considering the report filed on behalf of State of Haryana, the Hon'ble Green Tribunal has granted further time to State of Haryana with a direction to take prompt action as under:

"7. Learned Additional Advocate General for the State of Haryana submits that forest areas since been identified, steps are being taken for restoration by removing the encroachments which will require some further time. Accordingly we grant further time with direction that prompt action be taken for enforcement of law and further status report as on 31.01.2021 may be filed before the next date by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR support PDF and not in form of Image PDF"

In this regard the Action Taken Report received from DFO Gurugram, Faridabad and Nuh is enclosed herewith. Therefore, the report in this matter from State of Haryana has to be submitted before Hon'ble National Green Tribunal before next date of hearing. The directions passed by the Hon'ble Tribunal shall be complied with sincerely.

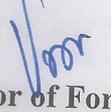
Encl: As above


Conservator of Forests,
South Circle, Gurugram

Endst. No. 39-41

No. 07.04.2021

A copy is forwarded to DFO, Gurugram, Faridabad and Nuh for information.


Conservator of Forests,
South Circle, Gurugram



वन विभाग, हरियाणा सरकार

कार्यालय— वन मण्डल अधिकारी, गुरुग्राम

वन परिसर, सोहना रोड, गुरुग्राम, दूरभाष -0124-2322057 E-mail: dfogurgaon1@gmail.com

क्रमांक 11-c

दिनांक 06/04/21

सेवा में,

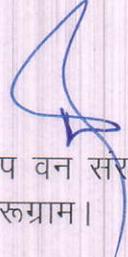
मुख्य वन संरक्षक,
दक्षिणी परिमण्डल,
गुरुग्राम।

विषय:-

OA No. 04/2013 Sonya Ghosh V/s State of Haryana & Ors.

उपरोक्त विषय के सम्बन्ध में माननीय एन0जी0टी0 में जवाबदावा दायर करने हेतु तैयार करके आपको अनुमोदन हेतु प्रेषित है। कृपया अनुमोदन उपरान्त लौटाने का कष्ट करें ताकि समय पर जवाबदावा दायर किया जा सकें।

संलग्न/उपरोक्त।


उप वन संरक्षक,
गुरुग्राम।

Action taken report in O.A. No. 04/2013 Sonya Ghosh Vs. State of Haryana & Others. and Haryali Welfare Society Vs. Union of India & Ors.

The Original Application No. 04 of 2013 has been filed by applicant Sonya Ghosh before the National Green Tribunal on 12.09.2013. That Hon'ble NGT on dated 26.08.2020. has passed an order which is as under:-

"Learned Additional Advocate General for the State of Haryana submits that forest areas since been identified, steps are being taken for restoration by removing the encroachments which will require some further time. Accordingly, we grant further time with a direction that prompt action be taken for enforcement of law and further status report as on 31.01.2021 may be filed before the next date by e-mail at judicial-ngt@gov.in"

In the matter of Sonya Ghosh Vs. State of Haryana in O.A. No. 04 of 2013 in the Hon'ble National Green Tribunal, The PCCF (HoFF) Haryana had submitted the reports of Committee constituted vide orders of Additional Chief Secretary, Govt. of Haryana, Forest & Wildlife Department, No. 1495-Ft-I-2019/2013 dated 08.07.2019 in compliance of order dated 23.10.2018, to the Hon'ble National Green Tribunal vide letter no D I-490/6213 dated 18.06.2020 and D I-490/7242 dated 25.08.2020. The same had been accepted by the Hon'ble Tribunal. The committee had identified the following violations and the Government Department responsible for taking necessary remedial action.

1.	Total No. of prosecution cases filed under EP Act, 1986 for farm house/ structure in violation of Aravali Notification dated 07.05.1992 District Gurugram by HSPCB.	513
2.	Total No. Show Cause Notice issued for farm house/ structure for commencing unauthorized construction activity without permission in violation of Aravali Notification dated 07.05.1992 by MC Sohna	195
3.	Total No. Show Cause Notice issued for farm house/ structure for commencing construction activity without permission in violation of Aravalli Notification dated 07.05.1992 by Town & Country Planning Department, Gurugram.	3
4.	Total No. violations in areas notified under section 4 and/or 5 of the PLPA, 1900. The Department has taken actions as per the provisions of the India Forest Act, 1927 against these violations.	52

The status report submitted by all concerned departments in their areas of jurisdiction is given below:

1. Forest Department, Gurugram:

Divisional Forest Officer, Gurugram informed that there are 52 violations in areas enclosed under section 4 & 5 of the PLPA 1900. Show Cause Notices have been issued to all the violators for violations in section 4 & 5 of PLPA 1900. The Action Taken Report by Forest Department Gurugram against the violations, Annexure I, is as follows:

1.	Total No. of permissions given under FCA 1980 by MOEF&CC.	1
2.	Total No. of Violators approaches the Hon'ble Civil Court Sohna & Gurugram.	11
3.	Total No. of Violators approaches the Hon'ble Punjab and Haryana High Court.	6
4.	As per district revenue record some Mustil. No.in Raisina Village belongs to the land owner is "GairMumkin Pahar. ". Beside this, as per range officer report possession of the land seems to be in PLPA 1900 section 4&5 and demarcation was required. Demarcation done in number of areas where violations has been done	8
5.	As per district revenue record some Mustil. No.in Raisina Village belongs to the land owner is "GairMumkin Pahar. ". Beside this, as per range officer report possession of the land seems to be in PLPA 1900 section 4&5 and demarcation was required. The No. of areas under violations where DRO Gurugram has been requested to direct the Concerned Tehsildar to demarcate the area.	8
6.	Total No. of violations in Bandhwari (Panchayat Land) under Aravalli Notification1992 and requested the Regional Officer HSPCB and Commissioner MCG Gurugram to take necessary action.	4
7.	Total No. of Violators in SEC Faridabad Prosecution Cases were filed against them.	3
8.	Total No. of government bodies has to apply FCA 1980	2
9.	Total No. of violations restored.	9
10.	Total No. of violations such as old temple and peer dargah which falls under section 4 & 5 of PLPA 1900 constructed before notification dated 05.03.1970.	4

2. Municipal Council, Sohna, Gurugram:

Executive Officer, Municipal Council Sohna, vide Letter No. 026/MCS Dated 05/04/2021 has submitted ATR as Annexure II.

3. Haryana State Pollution Control Board:

The Regional Officer HSPCB Gurugram informed that total 513 no. prosecution cases have been filed under Environment Protection act 1986 for Aravalli Notification dated 07.05.1992 district Gurugram and action has to

be taken against 195 violations/ farm houses for commencing unauthorized construction activities without permission in violations of Aravalli Notification dated 07.05.1992 by EO, MC Sohna.

4. Municipal Corporation, Gurugram:

The Joint Commissioner, MCG informed that 5 acres of land was restored from Violators and further informed that in Bandhwari, Gawal Pahari , Haiderpur Viran , Ghata village some of the Violators approached the Hon'ble High Court, Chandigarh and Supreme Court, New Delhi. Further, necessary action has to be taken by committee after considering the decision of the Hon'ble Supreme Court and NGT New Delhi.



Details of violation in Section 4 & 5 of P.D.A. in District Gurugram

SR No	Name of Address (Owner)	Type and detail of Structure	Name of Tehsil	Name of Village	Khasra No.	Area (Estimated)	Location		Notice	Action taken
							Longitude	Latitude		
1	Kuldeep S/o Haria	Jhugi/Teen shades	Gurugram	Ghata	75	2.5 Acre Apix.	28.431471	77.11421	Yes	CWP No. 6950 under consideration in Hon'ble P&H High Court. Order: (Till further orders the Ghata Village land in dispute shall remain stayed)
2	Manoj Kumar S/o Jalpal	Construction of road	Gurugram	Ghata	90	545m2	28.426192	77.11517	Yes	FOR 08/0484 date-25.03.2017 FOR 10/0484 date-28.03.2017 FOR 11/0484 date-29.03.2017, Case disposed of SEC Fbd. Fine Rewarded dated 07-02-2020, FINE
3	Kholi mandir Gausala-Baba mohar ram & gausala committee sector 54 grm	mandir & gausala	Gurugram	Haldepur Viran	342	3.10 Acre	28.440503	77.1182	Yes	PC Case No. 20-G, 2020-21
4	Om Parkash Mintu Dhaba	Building Structure & Boundary Wall	Gurugram	Haldepur Viran	344/1, 345	585 m2	28.2614"	77.718"	Yes	Civil Court Gurugram CS/4947/2018 Next Date 23-04-2021 (Argument) Stay order
5	Col. Meera Mohan Katikar	Building Structure & Boundary Wall	Gurugram	Gawal Pahari	84	2548 m2	28.440358	77.12418	Yes	Civil Court Gurugram CS/1640/20, Reply submitted on 03.03.2021, in Hon'ble civil court GGM (Next date-06.04.2021) Stay vide order dated 25-09-2020
6	Tarseem Sharma Now at Correct name Surrender pal s/o Baikishan Sharma	Boundary Wall & Small Room	Gurugram	Haldepur Viran	343/3	9732 m2 Apix.	28.2628	77.724"	Yes	Civil Court Gurugram CS/1640/20, Reply submitted on 03.03.2021, in Hon'ble civil court GGM (Next date-06.04.2021)
7	shiv mandir	temple	Gurugram	Sakatpur	85	995m2	28.22	76.59	Yes	As per Sarpanch of village construction is around 300 years old. (constructed before 1970 notification)
8	Devender singh geda	Boundary Wall & Building Structure	Gurugram	Gawal Pahari	84/4/1	16158 m2	28.2556"	77.731"	Yes	Hon'ble High Court Case No. 94 of 2019 vs MCG & Others, Stay Order
9	Manish Gupta & Aakash Mishra	Boundary Wall & Small Structure	Gurugram	Gawal Pahari	84/4/2	615m2	28.432904	77.12695	Yes	Hon'ble High Court Case No. 94 of 2019 vs MCG & Others, Stay Order
10	Baljeet Rathi, Harpal Singh ohri, Soniya sood	Boundary Wall & Small Structure	Gurugram	Gawal Pahari	84/4/3	12163m2	28.25' 55"	77.736"	Yes	Case No. CS/1676/20 Reply submitted on 03.03.2021, in Hon'ble Civil court Gurugram (Next date-06.04.2021), Stay order vide dated 06-11-2020
11	Advocate R Anand	Farm House	Gurugram	Gawal Pahari	82	8042m2	28.428866	77.12583	Yes	Hon'ble High Court Case No. 94 of 2019 vs MCG & Others, Stay Order
12	Advocate R Anand	Farm House	Gurugram	Gawal Pahari	82	3962m2	28.429572	77.12715	Yes	Hon'ble High Court Case No. 94 of 2019 vs MCG & Others, Stay Order
13	Manjeet Sabarwal	Farm House	Gurugram	Gawal Pahari	82	6334m2	28.42729	77.12832	Yes	Hon'ble High Court Case No. 94 of 2019 vs MCG & Others, Stay Order
14	Tarseem Sharma Now at Correct name Surrender pal s/o Baikishan Sharma	Farm House	Gurugram	Gawal Pahari	84	1800m2	28.441494	77.12412	Yes	Case No. CS/1704/20 Reply submitted on 03.03.2021 in Hon'ble Civil court Gurugram (Next date-06.04.2021), Stay Order vide dated 23-10-2020
15	Azad Ichia s/o hiratal	Farm House	Gurugram	Gawal Pahari	84	2340m2	28.265	77.719	Yes	Hon'ble High Court Case No. 94 of 2019 vs MCG & Others
16	Looking for the right name & address	Farm House	Gurugram	Bandhwa ri	23/2/13	1095m2	28.2426"	77.0919"	Yes	Demolished by MCG
17	Looking for the right name & address	Farm House	Gurugram	Bandhwa ri	23/19	398m2	28.2428"	77.0920"	Yes	Demolished by MCG

18	Looking for the right name & address	Farm House	Gurugram	Bandhwa ri	23/120	180m ²	28.24'29"	77.20'19"	Yes	Demolished by MCG
19	Looking for the right name & address	Farm House	Gurugram	Bandhwa ri	23/112	353m ²	28.24'30"	77.09'19"	Yes	Demolished by MCG
20	Jai kishan S/o Chandgi Ram Khillu S/o Raqbeer Dhani Ram S/o Hukam singh Desh raj s/o jeet ram Shishpal s/o Itwari Rajpal s/o Itwari	Boundary Wall	Gurugram	Sikhopur	2432	624 m ²	28.21'43"	76.59'22"	Yes	PC No. 21 G of 2020-21
21	Ramesh s/o Sanvyia Udaybhan s/o chuhad singh									
21	Gyan guru Mandir sikhopur	temple	Gurugram	Sikhopur	2431	2.5 Acre	28.21'38"	76.59'27"	Yes	As per Sarpanch of village construction is around 350 years old. (constructed before 1970 notification)
22	Sikhopur kumhar basit Satbir S/o Risal Singh Mahabir S/o Risal singh Narendra S/o Risal singh	Building Structures	Gurugram	Sikhopur	2441	3933m ²	28.36'014	76.98'901"	Yes	As per Sarpanch of village construction is around 350 years old. (constructed before 1970 notification) Old Habitation since before 2002. It will be evacuate by joint operation of MC Manesar, DTP GGM and DC GGM.
23	Peer Dargah	Peer Dargah	Gurugram	Naurangp ur	98	418m ²	28.20'55"	76.58'24"	Yes	As per Sarpanch of village construction is around 350 years old. (constructed before 1970 notification)
24	Baba saad Mandir Naurangpur	temple	Gurugram	Naurangp ur	94	2.5 Acre	28.21'00"	76.59'29"	Yes	As per Sarpanch of village construction is around 150 years old. (constructed before 1970 notification)
25	Ratan s/o Hemraj Sawan s/o Hardyal Lakhhan s/o Amar singh Vinod s/o Palu Kalu s/o Muknararam	Jhuggi Kasan	Gurugram	Kasan	269	17926m ²	28.21'2125	76.54'33.59	Yes	Civil Court GGM (Next date - 29.07.2021) CS 2955/2020 CS 2958/2020 CS 2951/2020
26	Indian Oil Ltd.	Boundary Wall & Small Structure	Gurugram	Manesar	112/19,20,21,22	1.30 Acre	28.20'29.67	76.56'11.28	Yes	Constructed in 1984
1	Farm House A-17, D.C Gabriel 248 Espace, Nirvana Country. Sector-50, Gurugram (122018)	Boundary Wall	Sohna	Raisina	22/ 1 Min, 10 Min	452.34 M ²	28.32'1634	77.01'6024	Yes	Demarcation was done on 19.02.2021 & 20.02.2021. Court Case no CS/380/2020 filed by owner is pending for 28.04.2021.
2	Farm House A-19 Mukesh Arora B-26 Sector-36, Noida	Farm House	Sohna	Raisina	22/ 1, 9, 10, 11, 12	5561.91 M ²	28.32'1111	77.01'6111	Yes	Demarcation was done on 19.02.2021 & 20.02.2021. Final notice for removing the encroachment is given.
3	Farm House A-21 Jyoti Mirrha Gahlot, 875, Sector-17 B, GGM	Boundary Wall	Sohna	Raisina	22/ 11, 12, 19, 20	4807.23 M ²	28.32'0668	77.01'6314	Yes	Demarcation was done on 19.02.2021 & 20.02.2021. Final notice for removing the encroachment is given.
4	Farm House A-1, 12A, Nita Khanna 37-B, Ashoka Avenue, Sainik Farms, New Delhi India (110062).	Farm House	Sohna	Raisina	40/ 1min, 2 min, 9, 10, 11, 12	11345.41 M ²	28.31'6089	77.02'3249	Yes	Demarcation was done on 19.02.2021 & 20.02.2021. Final notice for removing the encroachment is given.

5	Farm House A-33, A-33A Sheela Gaur (d/o Omprakash Kaushik) w/o Naresh Gaur, H. no. Q-5/12, DLF City Phase-II Gurgaon	Boundary Wall one side	Sohna	Raisina	32// 10, 11, 20	1099.51 M ²	28.31813	77.019628	Yes	Demarcation was done on 19.02.2021 & 20.02.2021. Court Case no CS/49/2021 filed by owner is pending for 28.04.2021.
6	Farm House A-33B, Sudhir Aggarwal S/o Sh. Jp Aggarwal R/o 59 Esapee, Niryana Country, Sector-50, South City-2, Islam Pur (97)-GGM,	Boundary Wall Rooms,	Sohna	Raisina	32// 10, 11, 19, 20, 21, 22	9128 M ²	28.318016	77.019927	Yes	Demarcation was done on 19.02.2021 & 20.02.2021. Court Case no CS/27/12020 filed by owner is pending for 28.04.2021.
7	House A-33C House A-33D, Ms. Suman Arora w/o Sh. B B Arora, R/o Flat no. 1102, Becon Tower, Omex Hills I, Sector-43, Suraj Kund, FBD	Boundary Wall, Rooms, Under ground & Water tank	Sohna	Raisina	32// 9, 12, 19	5250 M ²	28.318367	77.020453	Yes	Did not replied to notice.
8	Farm House A-31G,H, Devender Kumar	Boundary Wall, Room	Sohna	Raisina	32// 1, 10	5130.47 M ²	28.319098	77.020021	Yes	Demarcation was done on 19.02.2021 & 20.02.2021. Court Case no CS/39/2021 filed by owner is pending for 28.04.2021.
9	Haryana Tourism Complex (barber) Sohna	Boundary Wall, Building & Park	Sohna	Sohna	232// 1, 2, 9, 10, 11, 12, 20, 21, 22, 233// 5, 6, 15, 16, 25 244// 1, 2, 9, 259// 2, 3, 5/2, 6/1, 6/2, 7, 8, 9, 11/2, 12, 13, 14, 15, 17, to 24 25/1,	61440 M ²	28.241662	77.063900	Yes	Haryana Tourism has replied that the complex was started in 1970 and completed in 1973.
10	Pahar Colony Sohna	illgal Colony (Houses)	Sohna	Sohna	7// 11, 18, 19, 20, 21, 22, 20// 11 to 25 21// 2, 9, 10, 11, 12, 22// 6, 7, 8, 13, 14, 15, 23// 11, 12, 16, 17, 18, 19, 20, 23, 24, 25, 24// 21/1, 28// 1, 29// 4, 5, 31// 8, 9, 10, 11, 12, 13 32// 1 to 25	50071 M ²	28.239346	77.066289		Old Habitation colony. Demarcation is required to establish the exact violations, which is being undertaken.
11	IRB Bhandasi /RTC Bhandasi	Stadium, Hospital, training block, Building Admin Block & Play Ground, Asbal, Roads, Barwood wire Fencing, leveling by earth.	Sohna	Bhandasi	28.375417 28.374247 28.372336 28.373108 28.370949 28.371143	298985 M ²	77.09931 77.09797 77.107461 77.105039 77.098873 77.096333			FCA sanction received 9HRC008/2020 dated 02.03.2021. The pending area 6.0285 Ha FCA permission is being processed by them as informed.

23	Sangeeta D/o Saran Singh, C-123, Ind Floor, Defence Colony, Delhi	Farm House	Sohna	Rojka Gujjar	129//	20901 M ²	28.301792	77.132732	Yes	Demarcation request to DRO, Gurugram sent vide letter no.3104 Dated 24.03.2021 to take further action.
24	Arun Vikas Guha S/o late Sh. K. V Guha, H no. 1541, Chitranjan park, New Delhi	Farm House & Farming	Sohna	Rojka Gujjar	130//	30285 M ²	28.304021	77.132382	Yes	Demarcation request to DRO, Gurugram sent vide letter no.3104 Dated 24.03.2021 to take further action.
25	Pond & Illgale construction Sanjay Dua S/o Nand Lal Dua	Pond & Illgale construction	Sohna	Rojka Gujjar	53//		28.19.33.82	77.8.37.58	No	Restored
26	R/O A-1205, Utram Nagar, New Delhi	Farm House & Farming	Sohna	Rojka Gujjar	129//	15750 M ²	28.303519	77.135823	Yes	Demarcation request to DRO, Gurugram sent vide letter no.3104 Dated 24.03.2021 to take further action.

कार्यालय नगर परिषद सोहना, गुरुग्राम

प्रेषक,

कार्यकारी अधिकारी
नगर परिषद सोहना।

सेवा में,

जिला वन अधिकारी
गुरुग्राम।

क्रमांक 1026 / mes

दिनांक 05/04/2021

विषय-

Action against the illegal constructed of Farm Houses situated in the Forest Land fall under the area of Raiseena, Municipal Council Sohna, in compliance of orders dated 23.10.2018 passed by Hon'ble National Green Tribunal, Principal Branch, New Delhi in OA No. 4/2013 & OA 28/2015.

उपरोक्त विषय के संदर्भ में,

आप महोदय की सेवा में लिखा जाता है कि उक्त बारे NGT के आदेशो की अनुपालना में नगर परिषद सोहना द्वारा निम्न प्रकार कार्यवाही अमल में लाई जा रही है।

1. As per Minutes of review meeting in pursuance to directions in HSPCB Vs Akram Jamal and others order dated 27.08.2019 Compliance of action taken regarding directions in OA No. 4/2013 & OA 28/2015 under chairmanship of Sh. Ashok Sangwan, IAS, Commissioner, Gurugram Division, Gurugram on 02.09.2019 at 11.00 am Commissioner's Camp office (कापी साथ संगलन है) में हुई बैठक में श्री वेदपाल शहरावत-डी.टी.पी. (Enforcement) गुरुग्राम ने बताया कि डी.टी.पी विभाग के द्वारा रायसीना पहाड़ी में 195 फार्म हाउसों को चिन्हित किया, जिनके द्वारा निर्माण/अवैध निर्माण किया हुआ है, और उन्होंने बताया कि हरियाणा सरकार द्वारा जारी नोटिफिकेशन दिनांक 09.06.2014 के अनुसार उक्त एरिया अब नगर परिषद सोहना के बड़े हुये सीमा क्षेत्र के अंदर आता है। इसलिये अब इन फार्म हाउसों के निर्माण/अवैध निर्माण बारे आगामी कार्यवाही नगर परिषद सोहना द्वारा की जानी है।
2. Regional Officer, Gurugram Region (S), HSPCB 3rd Floor, HSIIDC Complex, IMT Manesar, Gurugram ने अपने पत्र क्रमांक HSPCB/GRS/2020/5124 dated 07.05.2020 (प्रति संगलन) के द्वारा The Division Forest Officer, Gurugram-cum- Member Secretary of the Committee को DFO Gurugram letter no. 18-22-G dated 04.05.2020 के संदर्भ में In the matter Sonia Ghosh V/s State of Haryana another's & Haryali Welfare Society versus Union of India in OA No. 04/2013 (Suo Moto) (MA No. 568/2013, MA No. 737/2013, MA No. 74/2014, MA No. 75/2014 & MA No. 787/2014) and OA No. 28/2015 (MA No. 61/2015) के माध्यम से बताया कि 424 फार्म हाउसों पर निर्माण/अवैध निर्माण बारे कार्यवाही Town & Country Planning विभाग एवं नगर परिषद सोहना द्वारा की जानी है।
3. नगर परिषद सोहना द्वारा दिनांक 23.05.2020 को 195 फार्म हाउसों को नोटिस जारी किये गये।

4. माननीय उच्च न्यायालय पंजाब एण्ड हरियाणा हाईकोर्ट के आदेशों CWP No. 7719 of 2020 dated 03.03.2020 (प्रति संलग्न) की पालना में नगर परिषद सोहना द्वारा दिनांक 04.06.2020 को रायसीना व सोहना अरावली क्षेत्र में 330 फार्म हाउसों को निर्माण/अवैध निर्माण बारे नोटिस जारी किये गये तदोपरान्त 175 फार्म हाउसों के मालिकों द्वारा 04.06.2020 को दिये गये नोटिस का जवाब नगर परिषद सोहना कार्यालय को प्राप्त हुआ। इसके अतिरिक्त यहाँ यह भी वर्णन करना उचित होगा कि 41 फार्म हाउस मालिकों द्वारा सिविल कोर्ट सोहना में नगर परिषद सोहना के विरुद्ध अपील दायर की है। जिसमें 6 फार्म हाउसों पर न्याय पालिका द्वारा स्टे आदेश पास किये गये हैं।

5. जिला नगर आयुक्त द्वारा उक्त वर्णित प्राप्त हुये जवाबों पर निर्णय करने बारे पत्र क्रमिक डी.एम.सी. /2021/2590 दिनांक 29.01.2021 द्वारा कमेटी का गठन किया गया है। जिसके उपरान्त अवैध निर्माणों बारे अग्रिम कार्यवाही अमल में लाई जा रही है। (संगलन पत्र की प्रति)

6. रायसीना अरावली क्षेत्र जून 2014 में हरियाणा सरकार, शहरी स्थानीय निकाय द्वारा जारी नोटिफिकेशन नं० 18/39/2014-3 CI दिनांक 09.06.2014 (प्रति संलग्न) के अनुसार नगर परिषद सोहना की बढी हुई सीमा में शामिल किया गया है। हरियाणा म्यूनिसिपल एक्ट 1973 के अनुसार जो भी निर्माण/अवैध निर्माण रायसीना अरावली क्षेत्र में दिनांक 09.06.2014 के बाद हुये हैं उन्ही अवैध निर्माणों पर नगर परिषद सोहना की कार्यवाही बनती है। इससे पूर्व में हुये निर्माण/अवैध निर्माण पर कार्यवाही करने में नगर परिषद सोहना संक्षम नहीं है। इस बारे कार्यवाही सम्बन्धित विभाग की बनती है। रायसीना अरावली क्षेत्र में वर्ष 2014 के बाद हुये निर्माण/अवैध निर्माण को चिन्हित करते हुये नगर परिषद सोहना द्वारा समय-समय पर अगस्त, 2020 के बाद नोटिस जारी करने उपरान्त 18 निर्माण/अवैध निर्माण को हटाया/गिराया गया है। (फोटो संलग्न)

7. दिनांक 09.06.2014 के बाद रायसीना अरावली क्षेत्र में हुये निर्माण/अवैध निर्माणों को चिन्हित करते हुये नगर परिषद सोहना द्वारा दिनांक 10.02.2021 से 37 Demolition order जारी किये जा चुके हैं व इस बारे आगामी कार्यवाही अमल में लाई जा रही है। Demolition order के खिलाफ CWP No. 3770 of 2021 (O&M) Gulshan Rai Jain Vs State of Haryana & Others याचिका माननीय पंजाब एण्ड हरियाणा उच्च न्यायालय में दायर की गई थी। (कापी साथ संलग्न) उच्च न्यायालय आदेश अनुसार उपरोक्त मामला संक्षम प्राधिकारी (W/DC Gurugram) के समक्ष विचाराधीन है व 9 याचिका सिविल कोर्ट सोहना में विचाराधीन है।

8. नगर परिषद सोहना द्वारा मौके की सर्वे उपरान्त यह रिपोर्ट की जाती है कि दिनांक 02.04.2021 तक 330 फार्म हाउसों में से 59 फार्म हाउस (रायसीना में 43, सोहना में 16) मौके पर Restored पाये गये।

9. नगर परिषद सोहना द्वारा अरावली क्षेत्र में निर्माण/अवैध निर्माण के लिये निर्माण सामग्री की सप्लाई को रोकने के लिये दिनांक 04.09.2020 को बैरियर व गार्ड लगाये गये हैं। नगर परिषद सोहना द्वारा दिनांक 11.02.2021 को अरावली क्षेत्र में अवैध निर्माण न करने बारे अखबार के माध्यम से सर्वसाधारण को सूचित किया गया है। (संगलन पत्र की प्रति) इसके अतिरिक्त नगर परिषद सोहना द्वारा अरावली क्षेत्र में निर्माण/अवैध निर्माण पर समय-समय पर नियमानुसार उचित कार्यवाही की जा रही है।

रिपोर्ट आपकी सेवा में प्रेषित है।

कार्यकारी अधिकारी
नगर परिषद सोहना

Minutes of review meeting in pursuance to directions in HSPCB Vs. Akram Jamal and others order dated 27.8.2019. Compliance of action taken regarding directions in OA No.4/2013 & OA 28/2015 under Chairmanship of Sh. Ashok Sangwan, IAS, Commissioner, Gurugram Division, Gurugram on 2.9.2019 at 11.00 a.m. Commissioner's Camp Office.

The list of participants is as per Annexure-1.

Regional Officer, Gurugram South HSPCB briefed the Deputy Commissioner, Gurugram Division about the action taken by HSPCB in date against the Farm Houses in Arsal Aravali retreat village Raisera Gurugram in special Aravali notification. Findings and difficulty faced by HSPCB to prove the violation of Aravali notification 1992 by the Farm Houses as the land detail in revenue record has been changed from Gair Mumkin Panar to Gair Mumkin Farm Houses in small period of time. The Regional Officer, Gurugram South HSPCB further informed that no action taken report has been submitted till date by Town and Country Planning Department, Gurugram and Municipal Council, Sohna against the unauthorised construction of farm houses in Aravali retreat village Raisera Gurugram.

The Deputy Commissioner, Gurugram informed that the Town and Country Planning Department has detected 195 number of farm houses in village Raisera having unauthorised constructions. The copy of same is enclosed in Annexure-II. But as per the notification dated 9.6.2014, the complete responsibility of Raisera now falls under extended Municipal Council, Sohna and hence any further action against the unauthorised construction shall be taken up by Municipal Council, Sohna. All the details has been conveyed to Executive Officer of Municipal Council, Sohna vide letter no. 3069 dated 12.5.2018. Copy enclosed as Annexure-III.

The DTP (Enforcement), Gurugram informed that notices for farm houses having unauthorised constructions have been issued to 153 farm houses between 1992 to 2014. Copy enclosed as Annexure-IV and all the demonstration drive were conducted on two occasions i.e. on 12/11/15 and 12/4/16. The details are enclosed as Annexure-V.



Regional Office, Gurugram (S)
Haryana State Pollution Control Board
3rd Floor, HSIIDC Complex, IMT Manesar, Gurugram
Website - www.hspcb.gov.in, E-Mail - hspcbrogrs@gmail.com
Tele No. 0124-2290207, 0124-2290208

Annexure-II

No. HSPCB/GRS/2020/5124

Dated: 07-05-2020

To
The Divisional Forest Officer, Gurugram
-cum-
Member Secretary of the Committee

Sub.: In the matter of Sonia Ghosh versus State of Haryana another's & Haryali Welfare Society versus Union of India & others in OA No. 04/2013 (Suo Moto) (MA No. 568/2013, MA No. 737/2013, MA No. 74/2014, MA No. 75 2014 & MA No. 787/2014) and OA No. 28/2015 (MA No. 61/2015).

Ref.: DFO Gurgaon letter no 18-22-G dated 04.05.2020

With the reference to the letter referred above, it is intimated that

- A) The list of 424 farm houses (**Annexure A**) in village Raisina, Gurgaon against which prosecution action was filed by Gurugram Region (South), HSPCB under violation of Aravali Notification dated 07.05.1992 in special environment court Faridabad. The action against unauthorized construction structures of the farmhouses in village Raisina, Gurgaon is to be executed by T&CP Dept & Executive Officer, Municipal Council Sohna. This office has already requested Executive Officer, Municipal Council Sohna vide letter no 2075-2078 dated 6-9-2019 (**Annexure B**) to take necessary action & submit ATR in compliance of OA 04/2013 at the earliest.
- B) The prosecution action against Ansal resident club (Lat / log N28 18 50 E77 0 30), Aravali retreat, village Raisina, Gurgaon for violation of Aravali Notification dated 07.05.1992 has been initiated by Gurugram Region (South), HSPCB.
- C) A complaint from Ramavtar Yadav has been received regarding Police line Manesar that the same has been constructed in violation of Aravali Notification dated 07.05.1992. Regarding same this office has requested vide letter no 3981-82 dated 29-1-2020 (**Annexure C**) for direction to concerned tehsildar to clarify whether the land of police line manesar falls under Aravali Notification area or not being subject relates to revenue department. The clarification report is awaited.
- D) A communication received from DFO Gurgaon vide letter no 1-G dated 2-4-2020 that the petitioner of CWP No. 11687/2018 of Harinder Dhingra Vs Union of India & Ors has produced photographs of Delhi Public School, Aravali, Gairatpur Bass Gurgaon showing violation of aravali plantation area. Regarding same this office has requested vide letter no 5119-22.. dated 06-05-2020 (**Annexure D**) for issuing necessary direction to concerned tehsildar to verify the land of Delhi Public School, Aravali, Gairatpur Bass, Gurgaon with respect to applicability of Aravali Notification dated 7 May 1992 and submit report through Deputy Commissioner Gurugram at the earliest so that same be intimated in court before next date of hearing. The clarification report is awaited.

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 7719 of 2020 (O&M)
Date of Decision: 03.06.2020

SANJAY MITTAL AND OTHERS

....Petitioners

VS.

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN,
HON'BLE MR. JUSTICE ASHOK KUMAR VERMA

Present: Mr. Pankaj Jain, Advocate,
for the petitioners.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

RAKESH KUMAR JAIN, J. (ORAL)

Case taken up through video conferencing.

The petitioners have assailed the validity of the notices dated 23.05.2020 and 25.05.2020 [Annexures P-11 (Colly)], issued on the basis of the order dated 23.10.2018 (Annexure P-10), passed by the National Green Tribunal, New Delhi.

In the said notices, petitioners have been given 7 days' time to demolish the construction raised by them over the land in question (stated to be a Farm House), without referring to their replies to the show cause notice already filed and without affording any opportunity of hearing.

Notice of motion.

At this Stage, Mr. Ankur Mittal, Additional Advocate General, Haryana accepts notice on behalf of respondents.

We have heard counsel for the parties in detail.

The writ petition is disposed of accordingly.

[RAKESH KUMAR JAIN]
JUDGE

June 3, 2020

Ess Kay

[ASHOK KUMAR VERMA]
JUDGE

Whether speaking / reasoned :
Whether Reportable :

Yes / No
Yes / No

From

Annexure V

District Municipal Commissioner,
Gurugram.

To

Executive Officer,
Municipal Council Sohna.

Memo No. DMC/2021/2590

Dated: 29/01/2021

Subject: To constitute a committee to take Action against the illegal farm house located in Arrvali Hills Sohna.

Reference:-Your Office Memo No- 5330/MCS Dated 21/10/2020.

On the subject cited under reference it is intimated that you are constitute a committee to take action against the illegal farm house located in Arrvali Hills Sohna officers/officials details as under.

1. Executive Officer, MC Sohna.
2. Executive Engineer, MC Sohna.
3. Municipal Engineer, MC Sohna.
4. ADA Vikas Gupta, MCG.
5. Dr. Sultan Singh, MIS (Expert).


for District Municipal Commissioner,
Gurugram.



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Annexure VI

HARYANA GOVERNMENT
URBAN LOCAL BODIES DEPARTMENT
NOTIFICATION

Dated :- 9th June, 2014

No. 18/39/2014-3C1:- In pursuance of the provision of sub-section (3) of Section - 4 of the Haryana Municipal Act, 1973 (Act 24 of 1973) and with reference to Haryana Government, Urban Local Bodies Department notification no. 18/39/2014-3C1, dated 04.03.2014, the Governor of Haryana hereby include within the Municipal Committee, Sohna in District, Gurgaon, the area lying between the existing boundaries as defined in the erstwhile and the boundaries now proposed as specified in the schedule here to be appended.

Schedule of Boundaries

NORTH:-

Starting from village Dhunela on Gurgaon Sohna road towards east Rect. No. 2 Kila no. 24, Rect no. 6 Kila no. 5, Rect no. 5 Kila no. 1, 9, 8, 7, 14, 15, Rect no. 4 Kila no. 20, 19, 18, 24, 25 Rect No. 3 Kila no. 21, Rect No. 13 Kila No. 1, 2, 9, 8, 7, 15, Rect No. 14 Kila No. 11, 19, 18, 24, Rect No. 16 Kila no. 5, Rect No. 15 Kila no. 10, 9, which connects the boundaries of villages Alipur & Berka and touches the Alipur road also. Towards north Village Berka Starting from Rect No. 6 kila no. 20/3, 11, 27, Rect No. 5 kila no. 21, 20, 11, 9, 10, 3,4, Rect No. 1 kila no. 25, Rect No. 2 kila no. 21/1, 21/2, 20, 19, 18, 23/1, 24 Rect No. 4 kila no. 4/1, 5 Rect No. 3 kila no. 10, 11, 12, Rect No. 3 kila no. 19/2 Rect No. 3 kila no. 23 Rect No. 8 kila no. 3/2, 8, 17, 24 Rect No. 9 kila no. 4, 6, 15, 16, 25 (Sahda village Abhaypur and Siraska)

East:-

Starting point from village siraska towards east Rect No. 1 kila no. 24, 25 Rect No. 2 kila no 21, 22 Rect No. 6 kila no. 2, 9, 18 Rect No. 2 kila no. 24, 25, Rect No. 5 kila no. 1, 2, 3, 7, 6 Rect No. 4 kila no 10, 11, 12, 13, 17, 16, Rect No. 3 kila no

21, 22 Rect No. 12 kila no 2, 3, 4 entering in boundary of village Lohtaki towards east Rect No. 1 kila no. 7/3, 6/3, 6/2, 6/1 Rect No. 2 kila no. 11, 12, 19 Rect No. 2 kila no. 18, towards south Rect No. 2 kila no. 22 Rect No. 3 kila no. 2, 10, 11, 12, 19, 22, 21 Rect No. 9 kila no. 1, Rect No. 8 kila no. 6, 14, 17, 23 Rect No. 10 kila no 2, 10, 11, 20 Rect No. 11 kila no. 16, 25 Rect No. 16 kila no 4/1, 4/2, 7, 8/1, 13, 19, 21, Rect No. 17 kila no. 1/1, Rect no. 18 Kila no. 5, 4, 8, 13, 19, towards south village Khaika Rect No. 16 kila no 4, 7, 14, 17, 16, 25, Rect. No. 27 kila no. 1, towards east entering in the boundary of village Baluda Rect. No. 1 kila no. 21, 22, 23 Rect No. 4 kila no. 3, 4, 6 Rect No. 3 kila no. 10, 9, 12/2, 13/1, 14/1, 14/2, 15 Rect No. 2 kila no 20/1, 20/2, 19, 22, towards south Rect No. 2 kila no. 23, Rect No. 10 kila no 3, 9, 13, 18, 17, 24, 25, Rect No. 11 kila no. 21, towards north kila no. 22/1, 19, 12, 13, 8, 7, towards east kila no. 15 towards south kila no. 16, 24 Rect. No. 13 kila no 4, 5 towards south kila no. 6, Rect. No. 12 kila no. 10, Rect no. 13 Kila no. 15, 16, 24 Rect No. 24 kila no 4, 6 Rect No. 25 kila no 11, 12, 13 Rect No. 25 kila no 17, 16/2, Rect No. 26 kila no 11/1, 11/2, 21, 22 Rect No. 27 kila no 3, 7, 14 towards south kila no. 13, 18, 23, Rect No. 43 kila no 2, 9, 1 towards North Rect No. 28 kila. no 25/3, 25/2, 25/1, 24, 18, 23 Rect No. 28 kila no 18, towards west kila no. 23, Rect No. 42 kila no 2, 9, 10, 11, 20 Rect No. 41 kila no 16, 25, Rect No. 44 kila no 4, 7, 13, 18, 24, Rect No. 57 kila no 3, 6, 15 Rect No. 53 kila no 20, 21/1, 21/2, 21/3 Rect No. 59 kila no 2, 10 Rect No. 60 kila no 6, 15, 16, 17/1, 24

South:-

Starting point from village Lakhuwas Rect No. 15 kila no 16, 25 Rect No. 16 kila no 4, 7, 14, 17, 25, Rect No. 31 kila no 5 Rect No. 32 kila no 1/2, 10, 9, 12, 19, 18, 23 Rect No. 33 kila no 3, 9/1, 9/2, 11, 20, Rect no. 34 Kila 16, 25, 21 Rect No. 52 kila no 1 Rect No. 51 kila no 5, 6, 14, 17, 23 Rect No. 53 kila no 3, 9, 12, 11, 20 Rect No. 54 kila no 25 Rect No. 66 kila no 5, 4 towards west Rect. No. 54 kila no 23, 22, 19, 20, towards south Rect No. 55 kila. no 15, 14, 7, 8, 13, 19, 20, 16 Rect No. 56 kila no, 16, 14, 17/1, 17/2, 23 Rect No. 65 kila no 3, 8, 9, 13, 18, 19, 22/2, 22/1, 21 Rect. No. 67 kila no 1, 10 Rect No. 68 kila no 6, 15, 16, 17, 24, 21/2 towards east Rect. No. 70 kila no 3, 2, 1 towards north Rect. No. 69 kila no. 25, 16, 17, 14,

13, 8, 7, 4, Rect. No. 63 kila no 24, 23, 19, 20, Rect. No. 62 kila no 16, 14, 13, 18, 12, 11, 10 Rect. No. 61 kila no 6, 4, 5 Rect No. 60 kila no 25, 16, 17, 14, 13, 7, 1 Rect No. 43 kila no 25, 16/1, 17, 14 entering to the boundary of Jakhopur Rect. No. 23 kila no. 10 Rect. No. 22 kila no. 5, 4, 7, 8, 12, 9/2, 9/1, 10, 11 Rect. No. 21 kila no 16, entering in the boundary of town sohna Rect no. 286 kila no. 9, 13, 12, 19, 20, 21, Rect no. 287 kila no. 25 Rect. No. 296 kila no. 5, 6, 14, 17, 24 Rect. No. 297 kila no. 3, 8, 12, 19, 11, start boundary of village Raipur Rect. No. 14 kila no 15, 16, 25 Rect No. 24 kila no 5, 6, 15/1, 15/2, 16, 24 Rect No. 25 kila no 4, 3, 8, 12/1, 12/2, 20, 21 Rect No. 30 kila no 1 Rect No. 29 kila no 5, 4 Rect No. 26 kila no 23/2, 23/1, 19, 20 Rect No. 27 kila no 15, 14, 7, 4, 3 Rect No. 22 kila no 22 Rect No. 27 kila no 2, 10, 11 Rect No. 28 kila no 16, 14, 13/1, 13/2, 9, 3 Rect No. 21 kila no 23, 22, 19, 20, 11, Crossing the Delhi Alwar road Rect No. 20 kila no 6, 7, 3, Rect No. 18 kila no 22, 20 Rect No. 19 kila no 15, 14, 8, 2, Rect.No. 8 kila no 22, 19, 12, 8, 3, Rect No. 7 kila no 23, 18, 14, 7, 4 Rect No. 1 kila no 25, 16, entering in the boundary of Sohna Rect No. 280 kila no 20, 11, 10, 1, Rect No. 279 kila no 21, 20, 11, 10, 1 Rect No. 262 kila no 22, 19, 12, 9, 2, 5, Rect No. 261 kila no 22, 19, 13, 8, 3 Rect No. 242 kila no 23, 19, 12, 9.

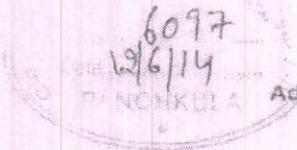
West

Crossing Sohna Tauru road Rect No. 242 kila no 2, 1, Rect No. 234 kila no 21 Rect No. 235 kila no 16, 15, 14, 13, 12, 9, 10, Rect No. 236 kila no 6, 7, 8, 9, 10 Rect No. 237 kila no 6, 7, 8, 9, 10 Rect No. 238 kila no 6, 7, 4, 3, 2, 1 Rect No. 239 kila no 4, 5, 6 Rect No. 210 kila no 23, 22, 21 Rect No. 209 kila no 25, 24, 23, 22, 21 Rect No. 240 kila no 1 Rect. No. 241 kila no 5, 4, 3, 2, 1, Rect. No. 208 kila no. 21 Rect No. 207 kila no 16, 15, 6, 7, 4, 3, 2, 1 Rect No. 206 kila no 5, 4, 3, 2, 1, Rect No. 205 kila no 5, 7, 8, 9, 10 Rect No. 204 kila no 6, 5, 4 Rect No. 203 kila no 24, 23, 18, 8, 3 Rect No. 160 kila no 23, 18, 13, 8, 4 Rect No. 159 kila no 24, 17, 14, 7, 4 Rect No. 120 kila no 24, 17, 14, 7, 4, Rect No. 119 kila no 24, 17, 14, 7, 4, 3 Rect No. 89 kila no 23, 18, 13, 8, 9, 2 Rect No. 88 kila no 22, 19, 12, 9, 2, Rect No. 62 kila no 22, 19, 12, 9, 2, Rect No. 61 kila no 22, 19, 12, 9, 10, 1 Rect No. 35 kila no 21 Rect No. 34 kila no 16, 15, 6, 5 Rect No. 33 kila no 25, 16, 15, 7, 4, 17,

14, Rect No. 8 kila no 23, 18, 13, entering in the boundary of village Raiseena towards east Rect No. 201 kila no. 23, 19, 12, 9, 2, 1 Rect No. 175 kila no 21, Rect No. 174 kila no 25, 16, 17, 14, 8, 3, Rect No. 173 kila no 23, 18, 12, 9, 1 Rect No. 144 kila no 21, 20, Rect No. 143 kila no 16, 15, 6, 5 Rect No. 142 kila no 25, 16, 15, 6, 5 Rect No. 113 kila no 25, 16, 15, 14, 7, 4, Rect No. 112 kila no 24, 17, 14, 7, 4, Rect No. 89 kila no 24, 23, 18, 13, 8, 3 Rect No. 88 kila no 22, 18, 13, 8, 3, 2 Rect No. 72 kila no 21, 22, 20, Rect No. 71 kila no 16, 17, 14, 8, 9, 2, 1 Rect No. 70 kila no 5 Rect No. 68 kila no 25, 24, 18, 19, 12, 11, 10, Rect No. 69 kila no 6 Rect No. 68 kila no 1 Rect No. 49 kila no 21, 20, 11, 10, 1 Rect No. 47 kila no 25, 16, 15, 6, 5 Rect No. 46 kila no 1 Rect No. 27 kila no 21, 20, 19, 12, 9, 8, 3, 4 Rect No. 26 kila no 24, 25, 16 Rect No. 25 kila no 20, 11, 12, 9, 8, 3, 4, 5, Rect No. 8 kila no 25, Rect No. 9 kila no 21, 22, 23, 18, 17, 14, 15, 6 Rect No. 10 kila no 10, 9, 8, 13, 18, 23, 24, 25 Rect No. 23 kila no 5 Rect No. 22 kila no. 1, 2, 3 Rect No. 11 kila no. 23, 24, 17, 15, 6, 5 Rect No. 12 kila no 1 Rect No. 7 kila no 21, 22, 19, 18, 17, 16, 15, 6, 5, Rect No. 6 kila no 1 Rect No. 1 kila no 21, 22, 19, 12, 13, 14, 15 Rect No. 2 kila no 11, 12, 19, 18, 17, 16, 25 Rect No. 3 kila no 21, 22, 23, Rect No. 4 kila no 3, 8, 18, 23, 24 Rect No. 15 kila no. 4, 7, 6, 15, Rect No. 16 kila no 11, 20, 21, 22 Rect No. 17 kila no 2, 9, 13, 18, 23 Rect No. 36 kila no 3, 8, 13, 18, 23, 24 Rect No. 37 kila no 4, 7, 14, 17, 24 Rect No. 58 kila no 3, 8, 13, 18, 23 Rect No. 59 kila no 3, 8, 13, 18, 23, 24 Rect No. 79 kila no 4, 5, 6, 7, 14, 18, 23 Rect No. 81 kila no 3, 4, 7, 14/2, 15 Rect No. 80 kila no 19, 20, 22, 23 Rect No. 97 kila no 3, 4, 7, 6 Rect No. 98 kila no 11, 12, 13, 14, 15, 16 Rect No. 99 kila no 20, 19, 22/1, 23, 24 Rect No. 102 kila no 4, 5 Rect No. 101 kila no 1/2, 10/1, 9, 8/2, 8/1, 3, 4, 5, 6 Rect No. 100 kila no 10, 11, 12, 19, 18, 23, 25 Rect No. 126 kila no 1, 9, 8, 7, 15, Rect No. 127 kila no 11, 19, 20, 22, 26 Rect No. 128 kila no 3, 9, 12, 19, 22, 27, 26 Rect No. 127 kila no 2, 3, 4, 8, 7, 14, 5, Rect No. 158 kila no 11, entering in boundary of village Dhunela towards North Rect No. 9 kila no 20/2, Rect No. 9 kila no 20/2, 11/1, 10/2, 2/1, 2/2/2, Rect No. 7 kila no 22/2, 19/2, 18/2, 13/1, 13/2/2, 8, 3, 4 Rect No. 1 kila no 24, 17, 14, towards East from Rect No. 1 kila no. 14 to kila no. 15,

LOG

Rect No. 2 kila no 20, 19. Rect No. 2 kila no 19 meets with the starting point Rect No. 2 kila no. 24 after crossing the Delhi Alwar road. i.e. end point.



P. RAGHVENDRA RAO
Additional Chief Secretary to Government Haryana,
Urban Local Bodies Department.

No. 18/39/2014-3C1:-

Dated:-09.06.2014

A copy is forwarded to the Controller, Printing and Stationery Department, Haryana, Chandigarh with the request that above notification (both in Hindi and English) may please be published in the Haryana Government Gazette (Extra-Ordinary).

He is requested to supply 50-50 printed copies of the said notification to the Principal Secretary to Government Haryana, Urban Local Bodies Department, Chandigarh/Director, Urban Local Bodies, Haryana, Panchkula.

Superintendent Committee-I
for Additional Chief Secretary to Government, Haryana,
Urban Local Bodies Department.

No. 18/39/2014-3C1:-

Dated:- 09.06.2014

A copy is forwarded to the following for information and necessary action :-

1. Commissioner, Gurgaon Division, Gurgaon.
2. Director, Urban Local Bodies, Haryana, Panchkula.
3. Director, Development and Panchayat, Haryana, Chandigarh.
4. Deputy Commissioner, Gurgaon.
5. Secretary, Municipal Committee, Sohna.
6. State Election Commission, Haryana, Nirwahan Sadan, Plot No. 2, Sector-17, Panchkula.

Superintendent Committee-I
for Additional Chief Secretary to Government, Haryana,
Urban Local Bodies Department.

10)

हरियाणा सरकार
शहरी स्थानीय निकाय विभाग
अधिसूचना

दिनांक:- 09.07.2014

संख्या. 18/39/2014-3क-1 :- हरियाणा नगर पालिका अधिनियम, 1973 (1973 का अधिनियम 24), की धारा- 4 की उप-धारा (3) द्वारा प्रदान की गई शक्तियों का प्रयोग करते हुए तथा हरियाणा सरकार, शहरी स्थानीय निकाय विभाग की अधिसूचना संख्या 18/39/2014-3क-1, दिनांक 04.03.2014 के सन्दर्भ में, हरियाणा के राज्यपाल, इसके द्वारा यथा परिनिश्चित वर्तमान सीमाओं तथा इसमें नीचे दी गई अनुसूची में यथा विनिर्दिष्ट अब प्रस्तावित सीमा के क्षेत्र को जिला गुडगावा की नगर पालिका, सोहना के भीतर सम्मिलित करने की घोषणा करते हैं।

सीमाओं की अनुसूची

उत्तर:-

प्रारम्भिक बिन्दू गांव धुनेला गुडगांव सोहना रोड से पूर्व की तरफ का मु० न० 2 कीला न. 24 मु० न० 6 कीला न. 5, मु० न० 5 कीला न० 1, 9, 8, 7, 14, 15, मु. न. 4 कीला न. 20, 19, 18, 24, 25, मु. न. 3 कीला न. 21 मु. न. 13 कीला न. 1, 2, 9, 8, 7, 15, मु. न. 14 कीला न. 11, 19, 18, 24, मु. न. 16 कीला न. 5, मु. न. 15 कीला न. 10, 9 जो कि अलीपुर की सीमा के साथ बेरका व अलीपुर की सीमा में मिलती है व रोड अलीपुर भी लगता है। गांव बेरका की प्रारम्भिक सीमा से बेरका के उत्तर तक मु. न. 6 कीला 20/3, 11, 27, मु. न. 5 कीला न. 21, 20, 11, 9, 10, 3, 4, मु. न. 1 कीला न. 25 मु. न. 2 कीला न. 21/1, 21/2, 20, 19, 18, 23/1, 24 मु. न. 4 कीला न. 4/1, 5 मु. न. 3 कीला न. 10, 11, 12 मु. न. 3 कीला न. 19/2 मु. न. 3 कीला न. 23 मु. न. 8 कीला न. 3/2, 8, 17, 24 मु. न. 9 कीला न. 4, 6, 15, 16, 25 (सहदा अमरपुर व सिरसका)

पूर्व :-

प्रारम्भिक बिन्दू गांव सिरसका से पूर्व की तरफ मु. न. 1 कीला न. 24, 25 मु. न. 2 कीला न. 21, 22 मु. न. 6 कीला न. 2, 9, 18 मु. न. 2 कीला न. 24, 25, मु. न. 5 कीला न. 1, 2, 3, 7, 6 मु. न. 4 कीला न. 10, 11, 12, 13, 17, 16, मु. न. 3 कीला न. 21, 22 मु. न. 12 कीला न. 2, 3, 4 सीमा गांव लोहटकी प्रारम्भ होते हुये पूर्व में मु. न. 1 कीला न. 7/3, 6/3, 6/2 6/1 मु. न. 2 कीला न. 11, 12, 19 मु. न. 2 कीला न. 18 से दक्षिण की तरफ चलते हुये मु. न. 2 कीला न. 22 मु. न. 3 कीला न. 2, 10, 11, 12, 19, 22, 21 मु. न. 9 कीला न. 1 मु. न. 8 कीला न. 6, 14, 17, 23

मु. न. 10 कीला न. 2, 10, 11, 20 मु. न. 11 कीला न. 16, 25 मु. न. 16 कीला न. 4/1, 4/2, 7, 8/1, 13, 19, 21, मु. न. 17 कीला न. 1/1, मु0 न0 18 कीला न0 5, 4, 8, 13, 19 गांव खाईका की सीमा से लगकर गांव खाईका के दक्षिण की तरफ मु. न. 16 कीला न. 4, 7, 14, 17, 16, 25, खाईका गांव की मु. न. 27 कीला न. 1 गांव बालूदा की तरफ पूर्व में प्रवेश करते हुये मु. न. 1 कीला न. 21, 22, 23 मु. न. 4 कीला न. 3, 4, 6 मु. न. 3 कीला न. 10, 9, 12/2, 13/1, 14/1, 14/2, 15 मु. न. 2 कीला न. 20/1, 20/2, 19, 22 मु. न. 2 दक्षिण की ओर कीला न. 23, मु. न. 10 कीला न. 3, 9, 13, 18, 17, 24, 25 मु. न. 11 कीला न. 21 उत्तर की तरफ 22/1, 19, 12, 13, 8, 7 मु. न. 11 कीला न. 7 पूर्व की तरफ 15 दक्षिण की तरफ 16, 24 मु. न. 13 कीला न. 4, 5 दक्षिण की तरफ 6, मु0 न0 12 कीला न0 10, मु0 न0 13 कीला न.15, 16, 24 मु. न. 24 कीला न. 4, 6 मु. न. 25 कीला न. 11, 12, 13 मु. न. 25 कीला न. 17, 16/2, मु. न. 26 कीला न. 11/1, 11/2, 21, 22 मु. न. 27 कीला न. 3, 7, 14 दक्षिण की तरफ 13, 18, 23, मु. न. 43 कीला न. 2, 9, 1 उत्तर की तरफ मु. न. 28 कीला न. 25/3, 25/2, 25./1, 24, 18, 23 मु. न. 28 कीला न. 18 पश्चिम की तरफ 23 मु. न. 42 कीला न. 2, 9, 10, 11, 20 मु. न. 41 कीला न. 16, 25, मु. न. 44 कीला न. 4, 7, 13, 18, 24 मु. न. 57 कीला न. 3, 6, 15 मु. न. 53 कीला न. 20, 21/1, 21/2, 21/3 मु. न. 59 कीला न. 2, 10 मु. न. 60 कीला न. 6, 15, 16, 17/1, 24

दक्षिण:-

प्रारम्भिक बिन्दू गांव लाखवास मु. न. 15 कीला न. 16, 25 मु. न. 16 कीला न. 4, 7, 14, 17, 25, मु. न. 31 कीला न. 5 मु. न. 32 कीला न. 1/2, 10, 9, 12, 19, 18, 23 मु. न. 33 कीला न. 3, 9/1, 9/2, 11, 20, मु0 न0 34 कीला न0 16, 25, 21 मु. न. 52 कीला न. 1 मु. न. 51 कीला न. 5, 6, 14, 17, 23 मु. न. 53 कीला न. 3, 9, 12, 11, 20 मु. न. 54 कीला न. 25 मु. न. 66 कीला न. 5, 4 पूर्व से पश्चिम की तरफ मु. न. 54 कीला न. 23, 22, 19, 20 मु. न. 55 से दक्षिण की ओर 15, 14, 7, 8, 13, 19, 20, 16 मु. न. 56 किला न. 16, 14, 17/1, 17/2, 23 मु. न. 65 कीला न. 3, 8, 9, 13, 18, 19, 22/2, 22/1, 21 मु. न. 67 कीला न. 1, 10 मु. न. 68 कीला न. 6, 15, 16, 17, 24, 21/2 मु. न. 70 से पूर्व की ओर किला न. 3, 2, 1 मु. न. 69 से उत्तर की ओर 25, 16, 17, 14, 13, 8, 7, 4, मु0 न. 63 कीला न. 24, 23, 19, 20, मु. न. 62 कीला न. 16, 14, 13, 18, 12, 11, 10, मु. न. 61 कीला न. 6, 4, 5 मु. न. 60 कीला न. 25, 16, 17, 14, 13, 7, 1 मु. न. 43 कीला न. 25, 16/1, 17, 14 गांव जखोपुर की सीमा प्रारम्भ होते हुये मु. न. 23 कीला न. 10 मु. न. 22 कीला न. 5, 4, 7, 8, 12, 9/2, 9/1, 10, 11 मु. न. 21 कीला न. 16, सोहना सीमा आरम्भ होते हुये मु0 न0 286 कीला न0 9, 13, 12, 19, 20, 21 मु0 न0 287 कीला न. 25 मु. न. 296 कीला न. 5, 6, 14, 17, 24 मु. न. 297 कीला न. 3, 8, 12, 19, 11, गांव रायपुर प्रारम्भ होते हुये मु. न. 14 कीला न. 15, 16, 25 मु. न. 24 कीला न. 5, 6, 15/1, 15/2, 16, 24 मु. न. 25 कीला न. 4, 3, 8, 12/1, 12/2, 20, 21 मु. न. 30 कीला न. 1 मु. न. 29 कीला न. 5, 4

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मु. न. 26 कीला न. 23/2, 23/1, 19, 20 मु. न. 27 कीला न. 15, 14, 7, 4, 3 मु. न. 22 कीला
न. 22 मु. न. 27 कीला न. 2, 10, 11 मु. न. 28 कीला न. 16, 14, 13/1, 13/2, 9, 3 मु. न. 21
कीला न. 23, 22, 19, 20, 11 दिल्ली अलवर रोड मुख्य मार्ग को पार करते हुये गांव रायपुर के मु.
न. 20 कीला न. 6, 7, 3, मु. न. 18 कीला न. 22, 20 मु. न. 19 कीला न. 15, 14, 6, 2, मु. न. 8
कीला न. 22, 19, 12, 8, 3, मु. न. 7 कीला न. 23, 18, 14, 7, 4 मु. न. 1 कीला न. 25, 16 सोहना
की सीमा आरम्भ होते हुये मु. न. 280 कीला न. 20, 11, 10, 1, मु. न. 279 कीला न. 21, 20, 11,
10, 1 मु. न. 262 कीला न. 22, 19, 12, 9, 2, 5, मु. न. 261 कीला न. 22, 19, 13, 8, 3 मु. न. 242
कीला न. 23, 19, 12, 9

पश्चिम-

तावडू सडक पार करते हुये प्रारम्भिक मु. न. 242 कीला न. 2, 1, मु. न. 234 कीला न. 21
मु. न. 235 कीला न. 16, 15, 14, 13, 12, 9, 10, मु. न. 236 कीला न. 6, 7, 8, 9, 10 मु. न. 237
कीला न. 6, 7, 8, 9, 10 मु. न. 238 कीला न. 6, 7, 4, 3, 2, 1 मु. न. 239 कीला न. 4, 5, 6 मु. न.
240 कीला न. 23, 22, 21 मु. न. 209 कीला न. 25, 24, 23, 22, 21 मु. न. 240 कीला न. 1
मु. न. 241 कीला न. 5, 4, 3, 2, 1, मु. न. 208 कीला न. 21 मु. न. 207 कीला न. 18, 15, 6, 7,
4, 3, 2, 1 मु. न. 206 कीला न. 5, 4, 3, 2, 1, मु. न. 205 कीला न. 5, 7, 8, 9, 10 मु. न. 204
कीला न. 6, 5, 4 मु. न. 203 कीला न. 24, 23, 18, 8, 3 मु. न. 160 कीला न. 23, 18, 13, 8, 4 मु.
न. 159 कीला न. 24, 17, 14, 7, 4 मु. न. 120 कीला न. 24, 17, 14, 7, 4, मु. न. 119 कीला न.
24, 17, 14, 7, 4, 3 मु. न. 89 कीला न. 23, 18, 13, 8, 9, 2 मु. न. 88 कीला न. 22, 19, 12, 9,
2, मु. न. 62 कीला न. 22, 19, 12, 9, 2, मु. न. 61 कीला न. 22, 19, 12, 9, 10, 1 मु. न. 35
कीला न. 21 मु. न. 34 कीला न. 16, 15, 6, 5 मु. न. 33 कीला न. 25, 16, 15, 7, 4, 17, 14, मु.
न. 8 कीला न. 23, 18, 13 सोहना सीमा के साथ रायसीना सीमा प्रारम्भ होते हुये पूर्व की तरफ मु.
न. 201 कीला न. 23, 19, 12, 9, 2, 1 मु. न. 175 कीला न. 21, मु. न. 174 कीला न. 25, 16, 17,
14, 8, 3, मु. न. 173 कीला न. 23, 18, 12, 9, 1 मु. न. 144 कीला न. 21, 20, मु. न. 143 कीला न.
16, 15, 6, 5 मु. न. 142 कीला न. 25, 16, 15, 6, 5 मु. न. 113 कीला न. 25, 16, 15, 14, 7, 4,
मु. न. 112 कीला न. 24, 17, 14, 7, 4, मु. न. 89 कीला न. 24, 23, 18, 13, 8, 3 मु. न. 88 कीला
न. 22, 18, 13, 8, 3, 2 मु. न. 72 कीला न. 21, 22, 20, मु. न. 71 कीला न. 16, 17, 14, 8, 9, 2,
1 मु. न. 70 कीला न. 5 मु. न. 68 कीला न. 25, 24, 18, 19, 12, 11, 10, मु. न. 69 कीला न. 6 मु.
न. 68 कीला न. 1 मु. न. 49 कीला न. 21, 20, 11, 10, 1 मु. न. 47 कीला न. 25, 16, 15, 6, 5 मु.
न. 46 कीला न. 1 मु. न. 27 कीला न. 21, 20, 19, 12, 9, 8, 3, 4 मु. न. 26 कीला न. 24, 25, 16
मु. न. 25 कीला न. 20, 11, 12, 9, 8, 3, 4, 5, मु. न. 8 कीला न. 25, मु. न. 9 कीला न. 21, 22,
23, 18, 17, 14, 15, 6 मु. न. 10 कीला न. 10, 9, 8, 13, 18, 23, 24, 25 मु. न. 23 कीला न. 5 मु.

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न. 22 कीला न. 1, 2, 3 मु. न. 11 कीला न. 23, 24, 17, 15, 6, 5 मु. न. 12 कीला न.
मु. न. 7 कीला न. 21, 22, 19, 18, 17, 16, 15, 6, 5, मु. न. 6 कीला न. 1 मु. न. 1
कीला न. 21, 22, 19, 12, 13, 14, 15 मु. न. 2 कीला न. 11, 12, 19, 18, 17, 16, 25 मु.
न. 3 कीला न. 21, 22, 23, मु. न. 4 कीला न. 3, 8, 18, 23, 24 मु. न. 15 कीला न. 4,
7, 6, 15, मु. न. 16 कीला न. 11, 20, 21, 22 मु. न. 17 कीला न. 2, 9, 13, 18, 23 मु.
न. 36 कीला न. 3, 8, 13, 18, 23, 24 मु. न. 37 कीला न. 4, 7, 14, 17, 24 मु. न. 58
कीला न. 3, 8, 13, 18, 23 मु. न. 59 कीला न. 3, 8, 13, 18, 23, 24 मु. न. 79 कीला न.
4, 5, 6, 7, 14, 18, 23 मु. न. 81 कीला न. 3, 4, 7, 14/2, 15 मु. न. 80 कीला न. 19,
20, 22, 23 मु. न. 97 कीला न. 3, 4, 7, 6 मु. न. 98 कीला न. 11, 12, 13, 14, 15, 16
मु. न. 99 कीला न. 20, 19, 22/1, 23, 24 मु. न. 102 कीला न. 4, 5 मु. न. 101 कीला
न. 1/2, 10/1, 9, 8/2, 8/1, 3, 4, 5, 6 मु. न. 100 कीला न. 10, 11, 12, 19, 18,
23, 25 मु. न. 126 कीला न. 1, 9, 8, 7, 15, मु. न. 127 कीला न. 11, 19, 20, 22, 26
मु. न. 128 कीला न. 3, 9, 12, 19, 22, 27, 26 मु. न. 157 कीला न. 2, 3, 4, 8, 7, 14,
15, मु. न. 158 कीला न. 11 गांव घुनेला के मु. न. 9 कीला न. 20/2 में मिलकर उत्तर
की तरफ मुड़ते हुये मु. न. 9 कीला न. 20/2, 11/1, 10/2, 2/1, 2/2/2, मु. न. 7
कीला न. 22/2, 19/2, 18/2, 13/1, 13/2/2, 8, 3, 4 मु. न. 1 कीला न. 24, 17,
14, मु. न. 1 कीला न. 14 से पूर्व की तरफ कीला न. 15 मु. न. 2 कीला न. 20, 19। मु.
न. 2 कीला न. 19 के बाद मुख्य मार्ग गुडगांव अलवर रोड को पार करते हुये प्रारम्भिक
बिन्दू मु. न. 2 के किला न. 24 में वापिस मिल जाती है ।

पी राघवेन्द्र राव
अतिरिक्त मुख्य सचिव, हरियाणा सरकार,
शहरी स्थानीय निकाय विभाग।

Annexure VII

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105

CWP-3770-2021(O&M)
Date of Decision : 25.02.2021

Gulshan Rai Jain Petitioner

Versus

State of Haryana and others Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI
: HON'BLE MR.JUSTICE RAJESH BHARDWAJ

Present : Mr. Pankaj Jain, Advocate
for the petitioner.

AJAY TEWARI, J. (Oral)

1. This civil writ petition has been filed under Article 226 of the Constitution of India praying for issuance of a writ in the nature of certiorari or direction quashing the impugned order dated 10.2.2021 (Annexure P-19) whereby demolition of farm house of petitioner has been ordered in utter violation of order passed by this Court in CWP-7719-2020.

2. Notice of motion.

3. Mr. Vivek Saini, Addl. A.G, Haryana accepts notice on behalf of the respondents/State and states that this order is appealable.

4. Faced with this, learned counsel for the petitioner states that the petitioner will file a complete appeal (free from all defects) along with an application for interim relief before the appellate authority within one week but till such time the prayer for interim relief be decided in accordance with law and status quo should be maintained.

1 of 2

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CWP-3770-2021(O&M)

-2-

5. Learned State counsel has accepted this.
6. Consequently, the present petition stands disposed of with above said observations and in the meantime, status quo be maintained.
7. Since the main case stands disposed of, pending application(s), if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

(RAJESH BHARDWAJ)
JUDGE

25.2.2021
anuradha

Whether speaking/reasoned - Yes/No
Whether reportable - Yes/No

Dainig 10

कार्यालय नगर परिषद सोहना, गुरुग्राम

सार्वजनिक सूचना

सर्व साधारण को सूचित किया जाता है कि नगर परिषद सोहना के अधीन अग्रवसी क्षेत्र में किसी भी प्रकार का निर्माण कार्य इत्यादि पूर्ण रूप से प्रतिबंधित है। इसलिए उक्त क्षेत्र में कोई भी निर्माण कार्य इत्यादि किया गया/किया जा रहा है तो वह हरियाणा नगर पालिका अधिनियम 1973 की अवहेलना है। अगर कोई भी निर्माण कार्य किया गया या किया जा रहा है तो उक्त अवैध निर्माण के खिलाफ नगर परिषद सोहना द्वारा नियमानुसार आगामी कानूनी कार्यवाही अमल में लाई जाएगी।

सूचित रहें।

कार्यकारी अधिकारी,
नगर परिषद, सोहना

PRDH-1078/11/24/2021/1778/6777

रेल)

ली-110002

wtech@gmail.com

/2020/WT-19A

धोर से एकल पैकेट
के आधुनिकीकरणB हेलिकल कोइल
वर्कशॉप साटुगा में
बॉक्स हाउसिंग के
परिवहन गणालबंद करने की
तिथि एवं समय

21 at 15:00 Hrs

स्तावेज वेब साइट

इंजिनियर/कोफमो

गस प्राधिकरण

का 201301, उ.प्र.

yonline.com

जिन्हें निम्नानुसार
को उनके सम्मुख
दिखाया जायेगा

Govt. Polytechnic Education Society, Manesar

(On NH-8. near NSG Camp, Manesar, Gurugram)
(Ph. - 0124-2337243, Website-www.gpmanesar.ac.in)

NOTICE INVITING E-Tender

Online electronic bids are invited for and on behalf of GPES Manesar from domestic bidders for "Outsource of Men Power" with E-Tender No.2021_HRY_159332_1

Last Date for submission of online bids is :- 02/03/2021

Complete Tender Documents can be viewed & downloaded from our Institute's website www.gpmanesar.ac.in and from procurement website of Haryana <https://etenders.hry.nic.in>

Any corrigendum regarding this tender will be available on above websites.

For more details contact 0124-2337243

PRINCIPAL
GPES MANESAR

**ACTION TAKEN REPORT ON ORDER OF HON'BLE NATIONAL GREEN TRIBUNAL
IN O.A NO. 04/2013 TITLED AS 'SONYA GHOSH VS STATE OF HARYANA AND
ORS' AND O.A NO. 28/2015 (HARYALI WELFARE SOCIETY VS UOI AND
OTHERS). (DISTRICT NUH) Dated 6th April 2021**

Hon'ble National Green Tribunal has passed an order on 26.08.2020 in O.A No. 04/2013 titled as 'Sonya Ghosh Vs State of Haryana and ors' and O.A No. 28/2015 (Haryali Welfare Society vs UOI and others). The operative part of the order is as under:-

"7. Learned Additional Advocate General for the state of Haryana submits that Forest areas since been identified, steps are being taken for restoration by removing the encroachment which will requires some further time. Accordingly we grant further time with a direction that prompt action be taken for enforcement of law and further status report as on 31.01.2021 may be filed before the next date by E-Mail at judicial-ngt@govt.in in preferably with the form of searchable PDF/OCR Support PDF and not in the form of image PDF"

It is submitted that as per direction of the Hon'ble National Green Tribunal dated 26.08.2020, Forest Department took action against the violators in the area notified under section 4 &/or 5 of Punjab Land Preservation Act 1900. Abstract of the action taken against the violations in the area falling under section 4&/or 5 of Punjab Land Preservation Act. 1900 is as under:-



Sr No.	Name of Range	Farm House No./Structure detail	Khasra No. of Land	Status of land w.r.t PLPA Aravali Plantation and Forest Act.	Action taken by Forest Department for Violation of PLPA, Aravali Plantation and forest Act.
1	Nuh	Structure	Mustil No. 74	Nalhar Sec. 4&5	Structure demolished and area restored back
2	F.P.Jhirka	Structure	289/1	Biwan Sec. 4&5	Structure demolished and area restored back
3	F.P.Jhirka	Structure	422	F.P.Jhirka Sec. 4&5	Structure demolished and area restored back
4	F.P.Jhirka	Structure	422	F.P.Jhirka Sec. 4&5	Structure demolished and area restored back
5	F.P.Jhirka	Structure	422	F.P.Jhirka Sec. 4&5	Structure demolished and area restored back
6	F.P.Jhirka	Structure	422	F.P.Jhirka Sec. 4&5	Structure demolished and area restored back
7	F.P.Jhirka	Structure	422	F.P.Jhirka Sec. 4&5	Structure demolished and area restored back
8	F.P.Jhirka	Structure	422	F.P.Jhirka Sec. 4&5	Structure demolished and area restored back
9	F.P.Jhirka	Structure	422	F.P.Jhirka Sec. 4&5	Structure demolished and area restored back
10	F.P.Jhirka	Structure of CRPF-Camp and Firing Range FP. Jhirka	324 to 375, 379 to 426,	F.P.Jhirka Sec. 4&5	As per CRPF authorities only temporary structures in the area has been constructed for stay of firing team and no other permanent structure has been constructed by them except boundary wall to protect human, cattle and wildlife during firing practice.

The Forest Department Nuh has issued three notices to the violators and after that with-help of Duty Magistrate on 22nd March 2021 all above mentioned structure from sr. no. 2 to 9 has demolished and restored back as Forest Area. (Photographs are enclosed)

In case of 350 acres of land of CRPF Camp is concerned, it is stated that the show cause letter has been issued to CRPF authorities vide Range Officer Firozpur Jhirka letter No. 517 dated 17.01.2020 and letter No. 336 dated 29.01.2021. In response to that the Commandant CRPF vide his letter No. संख्या एल-एक-4/2020-21-गु0-के0-भवन

dated 06.02.2021 has submitted that this land was purchased by their Department in 2002 and it is used as Firing Range. It is also submitted by the agency that to avoid accident of human, wildlife and cattle the boundary wall was constructed in 2014 for protection of their area. Some temporary huts for the protection persons have been constructed. No leveling of ground has been done and no damage to Local Forest has been done by their organisation **(copy enclosed)**.

The report is hereby submitted for consideration of Hon'ble National Green Tribunal.


Divisional Forest Officer,
Nuh


Deputy Commissioner,
Nuh

Order under sub section (2) of section 12 of Punjab Scheduled Roads and Controlled Areas (Restriction of Unregulated Development) Act, 1963.

Memo No. ENF-MT/DTP-P/ 26 | 2021

Dated. 29/01/2021

To

Sh. Gurcharan Singh Add. DIGP Group Centre CRPF,
Village & Tehsil- Firozpur Jhirka,
Distt. Nuh.

OR

To whom so ever it may concern.

Whereas it has been reported to me that you are erecting unauthorized earthen roads in at Khasra no.324 to 336,343 to 351 at **Village Firozpur Jhirka, Tehsil & District Nuh** in contraventions of Section- 6 of the Punjab schedule roads and controlled area Restrictions of unregulated Deployment Act 1963 without obtaining requisite permission as required under the Act and thus you have changed the agriculture use of the land in contravention of the provision of subsection (1) of section 7 of the said Act of the land situated in **Village Firozpur Jhirka, Tehsil & District Nuh** which falls within the notified controlled area.

And whereas vide my shows cause notice issued vide no.ENF-MT/DTP-P/194/2020 dated 28.12.2019 which was sent to through registered post, you were required to stop further illegal construction/Roads and to appear in my office to show cause why you should not be ordered to restore the unauthorized construction/roads at **Village Firozpur Jhirka, Tehsil & District Nuh** in the respect of which the aforesaid contravention had been committed to its original state or bring it in conformity with the previous of the Act or the rules framed there under.

Whereas you have failed to do so the satisfaction of the undersigned for the reason mentioned below:-

- (i) You have neither appeared nor submitted any reply in response to show cause notice with in stipulated time frame given which show that you have nothing to say in this regard.

Now, therefore, you are hereby called upon to restore the land at **Village Firozpur Jhirka, Tehsil & District Nuh** to its original state or to bring it in conformity with the provisions of the Act or the Rules, within a period of 7 days from the date of issue of this order by demolishing the authorized construction. If you fail to comply with this order within stipulated time period you continue further contravention, this office will take such measures including demolition of construction to restore the land to its original state or to bring it in conformity with provisions of the act or the rules, as may appear to necessary to give effect to this order without any further notices. The cost of such measure will recovered from you as arrears of land revenue if not paid on demand.


District Town Planner, Nuh
Exercising the Power of Director,
Town & country Planning, Haryana.
U/s 9, 12, 16 of Act no. 41 of Act ibid

वन विभाग हरियाणा
कार्यालय वन राजिक अधिकारी, फिरोजपुर झिरका,
दिल्ली-अलवर रोड, फिरोजपुर झिरका
E-mail: rfoferozepurjhirka@gmail.com

No. 376

Date. 29/1/2021

To,

Additional D.I.G.P.
Group Centre C.R.P.F., Gurugram, Haryana

Sub:- Notice

It has been reported that you have under taken non forestry activities in land bearing type of structure 350 Acre area Ha.,Acre/M² In khasra No. /mustil no..... kila no. 341 to 376 in village FP Jhirka District. Nuh.
343 to 351

The said land is notified under **section 4 and 5 of Punjab land preservation Act. 1900**. As per the order of **Hon'ble supreme court**, the land so notified under **PLPA is treated as "forest"** for the purpos of forest conservation Act, 1900 and execution of non forestry activities by committing illegal encroachment, leveling of ground, breaking of land; erection of boundary wall, constructing concrete structures on land notified under section 4 and 5 of PLPA 1900 are violations of orders of **Hon'ble supreme courts** and PLPA 1900 & Forest conservation Act 1980 .therefor, your action amounts to violation of the PLPA 1900 and forest conservation act 1980 , **Hon'ble NGT orders , Hon'ble supreme court orders** .

Hence, you are hereby called upon your explanation within 7 days from the date of receipt to this notice why action cannot be enitiated against you for violation of the orders of **hon'ble supreme court** and PLPA 1900 & forest conservation act 1980.simultaneously you are also directed to remove all the construction etc .and restore the original status of land .if you fail to submit your explaintion or remove illegal encroachment by yourself within the specified time,the action will be initiated to remove illegal encroachment without any further reference to you.it is hereby clarified that no plea will be entertained after specified time.all short of cost incurred on removal illegal encroachment and restration of area will be recovered from you and in case of default,it shall be a fit charge on the property and shall be recovered by disposing it under land Revenue Act and other relevant laws. You shall asls be booked under following laws for civill and criminal offences:

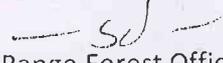
- PLPA Act, 1900.
- Indian Forest Act,1927.
- Indian Penal Code, 1860.
- Forest Conservation Act, 1980.
- Wild Life Protection Act, 1972.


Range Forest Officer,
Ferozepur Jhirka.

Endst No:

Dated:

A Copy is forwarded to the Divisional Forest Officer Nuh for Information and necessary action.


Range Forest Officer,
Ferozepur Jhirka.

Recd (OP)
29/1/2021
Bldg. CLK.
L.E. G.M.

हरियाणा सरकार
कार्यालय वन मण्डल अधिकारी, फरीदाबाद
बाई पास रोड, नजदीक रोज गार्डन, सैक्टर-14, फरीदाबाद, दूरभाष 0129-2286760

क्रमांक 07

दिनांक 5/4/2021

सेवा में

वन संरक्षक, द0 परि0,
गुरुग्राम।

विषय

O.A No. 04/2013- In the Matter of Sonya Ghosh Vs. State of Haryana & Ors.

संदर्भ

आपका कार्यालय का पत्र क्रमांक 2466-68 दिनांक 22.09.2020, क्र0 3130-32 दिनांक 29.10.2020, क्र0 3656-58 दिनांक 04.12.2020, क्र0 3670-72 दिनांक 11.12.2020, क्र0 4611-13 दिनांक 09.02.2021 तथा 4718-20 दिनांक 18.02.2021

जैसा कि O.A No. 04/2013 titled as "Sonya Ghosh Vs. State of Haryana & Ors. and O.A No. 28/2015 (Haryana Welfare Society V/s. UOI and other) before Hon'ble National Green Tribunal, New Delhi. माननीय एन0जी0टी0 कोर्ट के निर्देश अनुसार उक्त केस में आगामी तिथि 08.04.2021 लगी है। माननीय कोर्ट द्वारा आदेश दिये गये थे कि दिनांक 31.01.2021 तक स्टेटस रिपोर्ट मेल आई0डी0 Judicial-ngt@gov.in पर प्रस्तुत की जायें। अतः आपको विषयांकित मामले की स्टेटस रिपोर्ट पत्र के साथ संलग्न भेजी जाती है। यह आपको सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित हैं।

संलग्न/उपरोक्त।


उप वन संरक्षक
फरीदाबाद।

ACTION TAKEN REPORT ON ORDER OF HON'BLE NATIONAL GREEN TRIBUNAL IN O.A. NO. 04/2013 TITLED AS 'SONYA GHOSH' VS STATE OF HARYANA AND ORS AND O.A. NO. 28/2015(HARYALI WELFARE SOCIETY VS UOI AND OTHERS).

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Hon'ble National Green Tribunal has passed an order on 26.08.2020 in O.A. NO. 04/2013 titled as 'Sonya Ghosh vs State of Haryana and ors and O.A. no. 28/2015 (Haryali Welfare Society vs UOI and others. The operative part of the order is as under:-

"7. Learned Additional Advocate General for the state of Haryana submits that Forest areas since been identified, steps are being taken for restoration by removing the encroachments which will requires some further time. Accordingly we grant further time with a direction that prompt action be taken for enforcement of law and further status report as on 31.01.2021 may be filed before the next date by E-Mail at judicial-ngt@gov.in in preferably with the form of searchable PDF/OCR Support PDF and not in the form of image PDF."

It is submitted that as per direction of the Hon'ble National Green Tribunal dated 26.08.2020, Forest Department took action against the violators in the area notified under section 4 &/or 5 of Punjab Land Preservation Act 1900. Abstract of the action taken for the violations in the area falling under section 4 &/or 5 of Punjab Land Preservation Act 1900 is as under: -



1	Total No. of Prosecution Cases filed in Hon'ble Special Environment Court for farm houses/structures in violation of Forest Acts.	41 No.
2	Total no. of Show cause notices issued for farm houses/ structures for commencing unauthorized construction activities without permission in violation of Forest Acts.	119 No.

Forest Department has already filed 41 no. of prosecution cases in hon'ble Environment Court. It is submitted that during preliminary discussion it came to notice that various courts have provided various injunction to encroachers/violators. To that end, in district level meeting, it was decided that a detailed notice needs to be tendered to all encroachments/violations so that during time of demolition/restoration exercise no one take plea of some or other court judgments/stay. To that end, starting from village Mewla Mahrajpur, in total 119 no. of notices have been issued to the violators for violating the Forest Laws in the area notified under section 4 &/or 5 of Punjab Land Preservation Act 1900 and issuance of remaining 4 notices are under process **(Copy attached)**.

Details of Reply received to Notices issued to illegal encroachment/violations in Ankhir village and Mewla Maharajpur village Faridabad: -



1. Cases in Hon'ble Supreme Court/ High court :-

S. No	Type of Structure(Farm House/Banquet Hall/Institutional etc.)	Name of owner	Civil Suit No.	Court Name	Last Date
1	Marriage Palace	Mahipal Green valley	11000/2013	Hon'ble Supreme Court of India	07.01.2021
2	Marriage palace	Vaishali Garden/Triplanime	11000/2013	Hon'ble Supreme Court of India	07.01.2021
3	Marriage palace	Saltnat	8173/2016	Hon'ble Supreme Court of India	07.01.2021
4	Marriage palace	Dharambir Bhadana (Janet Valley)	11000/2013	Hon'ble Supreme Court of India	07.01.2021
5	Marriage palace	Khalsa Garden (Narender Singh)	10294/2013	Hon'ble Supreme Court of India	07.01.2021

It is submitted that civil appeal no. 11000 of 2013, civil appeal no. 8173/2016, civil appeal no. 10294/2013 is pending in Hon'ble supreme court in which last date of hearing was on 07.01.2021 and next date is scheduled after 3 months. It is pertinent to mention here that Hon'ble supreme court has ordered to maintain status quo/ allow to host marriage in meanwhile in aforementioned civil appeals. Reply in all the above mentioned civil appeals has been filed. Hon'ble Supreme Court has passed orders dated 28-10-2013 in civil appeal no. 29962 of 2013 titled as Narender singh and others Vs Divesh Bhutani and others, Operative part of which is produced as under.

"In the meanwhile, the appellants may carry on their business of hosting marriages".

On the similar lines 16 no. of farm houses/marriage places claimed exemption from demolition/encroachment removal.

2. Cases in which Civil/District Court Decreed/Stayed against demolition of boundary wall:-

1	Farm House	Vipul Goyal and Kamal Jashmi	5232-2014	In the Court of Priyanka Jain Civil Judge Junior Division	Against MCF & DTP
2	Farm House	Sun Rock Farm	3199/2019	In the Court of Himani Gill Civil Judge Junior Division	Against MCF & DTP
3	Farm House	Gurmukh Singh Farm	96/2019	In the Court of Kajesh Garg Vacation Judge/ADJ, Faridabad	Against MCF & DTP
4	Farm House	KK Ujjwala Farm	99	In the Court of Sh. Sandeep Kumar Civil Judge Junour Division	Against MCF & DTP
5	Marriage palace	Sanskriti Green	2264-17	In the court of Garima yadav civil judge junior division	Against MCF & DTP
6	Farm House	Ravish Trihan	2264-17	In the court of Garima yadav civil judge junior division	Against MCF & DTP
7	Farm House	Sateder Banga S/o GS Banga		In the Court of Himani Gill Civil Judge Junior Division	Against MCF & DTP
8	Farm House	Sandeep Chaprana S/o Tej Pal	57157/2014	In the Court of Mrs. Tarannum Khan Civil Judge Faridabad	Against MCF & DTP
9	Education Society	Khajani Education Society	108/2013	In the Court of R.N Bharti Additional District Judge Faridabad	Against DTP and MCF, DC Office
10	Farm House	Sun Village Farm	124	In the Court of Monika Khanagwal Civil Judge Junior Division	Against MCF
11	Restaurant	Aravali Restaurant	CS/1437/2015 57 OF 2015	In the Court of Mahesh kumar, Civil Judge Junior Division	Against MCF
12	Marriage place	jannat valley		In the Court of vacation judge, Civil Judge senior Division	Against MCF & DTP
13	Farm House	Usha Chawala	CS/52227/2014 26RBT OF 2015	In the Court of Garima Yadav Civil Judge Junour Division Faridabad	Against MCF & DTP

14	Marriage place	Raj Villa			Against MCF & DTP
15	Marriage palace	Delite Garden			Against MCF & DTP
16	Marriage palace	Yogi Farm			Against MCF & DTP
17	Marriage palace	Edan Garden			Against MCF & DTP

3. Reply has been received against issued notices:-

1	Ashram	Param Hans Ashram			No stay
2	Satsang Bhawan	Radha SwamiSatsang Ashram			No stay
3	Marriage palace	Sethi Garden			No stay
4	Farm House	Pardeep Sethi			No stay
5	Ashram	Jagat GuruDham			No stay
6	Farm House	GymKhana Club			No stay
7	Institute	Manav Rachna International Institute			Permission for change land use from Municipal Corporation rule 1965 vide there memo no. MCF/STP/98/399 DT. 16.03.1998
8	Gausala	Gopal Gausala			No stay
9	Ashram	Sidhrath Ashram			CLU Permission Granted Memo No. 1/50/90-3C2 DT. 18.04.1992 From MCF vide memo No. FCA/STP/92/426 DT. 08.03.1992




10	Gausala	Narayan Gausala			No stay
11	Farm House	Kamlesh Sharma			No stay
12	Education	Aravali International School			No stay
13	School	MVN School			No stay
14	Mandir	Hanuman Mandir			No stay
15	Farm House	Ramesh Pal Rana Sec-15 Faridabad			No stay
16	Restaurant	Shibiya Restaurant			No stay
17	Farm House	Windsor Farm			No stay

4. No reply has been received against issued notices:-

1	Marriage palace	Imperial Garden			Reply not received
2	Farm House	Lohiya Farm			Reply not received
3	sector area	HSVP Sector 21 C III			Reply not received
4	police post	police post			Reply not received
5	Farm House	Rishipal Farm			Reply not received
6	Farm House	Meadous Farm			Reply not received
7	Farm House	Shaurya Farm			Reply not received
8	Farm House	Inderaj Farm			Reply not received
9	Farm House	Kailash Baisala			Reply not received
10	Office	HSVP Sector 45			Reply not received
11	Mandir	Shiv Mandir			Reply not received
12	Office	HSVP Sector 44 & 47			Reply not received




13	Farm House	Anand Farm			Reply not received
14	Farm House	Jasan Farm			Reply not received
15	Farm House	Farm House			Reply not received
16	Foundation	Saheed Foundation			Reply not received
17	Farm House	Bhalla Farm			Reply not received
18	Farm House	Anangpur			Reply not received
19	Farm House	Anangpur			Reply not received
20	Farm House	Anangpur			Reply not received
21	Farm House	Anangpur			Reply not received
22	Kattan Pahari(Jhuggi/Jopadi)	Anangpur			Reply not received
23	Kartar Bhadhana Stock	Anangpur			Reply not received
24	Chopra Farm	Anangpur			Reply not received
25	Krish Farm	Anangpur			Reply not received
26	Vedpal Farm	Anangpur			Reply not received
27	Judge Farm	Anangpur			Reply not received
28	Manish Pandit	Anangpur			Reply not received
29	Aswani Nagar	Anangpur			Reply not received
30	Krish Bidhuri	Anangpur			Reply not received
31	Manav Rachna Farm	Anangpur			Reply not received
32	Prakash Farm	Anangpur			Reply not received
33	Malhotra Farm	Anangpur			Reply not received
34	Soni Farm	Anangpur			Reply not received




35	Devender Badhana	Anangpur			Reply not received
36	Art Village Jagdeep Sangwan	Anangpur			Reply not received
37	Marriage Palace	Kings Velly Anangpur			Reply not received
38	Marriage Palace	Iconic Farm Anangpur			Reply not received
39	Marriage Palace	Orchid Velly Anangpur			Reply not received
40	Virender Bidhuri	Anangpur			Reply Received
41	Sanju Jain Farm House	Anangpur			Reply not received
42	Anadvan Sandhu Group	Anangpur			Reply not received
43	Bidhuri Farm	Anangpur			Reply not received
44	Intzar Farm	Anangpur			Reply not received
45	Lotus Farm	Anangpur			Reply not received
46	Vicky Farm	Anangpur			Reply not received
47	Amrit Green Velly	Anangpur			Reply not received
48	Rishipal S/o Badlu	Anangpur			Reply not received
49	Mannu Bhadana	Anangpur			Reply not received
50	Dawer Farm	Anangpur			Reply not received
51	Exproma Farm, Gullu Rekhi	Anangpur			Reply not received
52	Royal Garden	Anangpur			Reply not received
53	Inderpal Farm	Anangpur			Reply not received
54	Parmod Gupta	Anangpur			Reply not received
55	Muthoot Group	Anangpur			Reply not received
56	Sharma Traders	Anangpur			Reply not received




57	Gupta Farm	Anangpur			Reply not received
58	Birender S/o Narayan	Anangpur			Reply not received
59	Chhada Farm	Anangpur			Reply not received
60	Ishwar Gwdown	Anangpur			Reply not received
61	Swaroop Creations	Anangpur			Reply not received
62	Golden Cremic	Anangpur			Reply not received
63	Prashant Farm	Anangpur			Reply Received
64	Farm House	Anangpur			Reply not received
65	The Riwarz Farm	Anangpur			Reply not received
66	Farm House	Anangpur			Reply not received
67	Farm House	Anangpur			Reply not received
68	Karan Luthra	Manger			Reply not received
69	Ramesh Dhaba	Manger			Reply not received
70	Mandir	Manger			Reply not received
71	Raj Singh S/o Prahlad	Manger			Reply not received
72	Krishan Kumar Jakhar, Dev Raj Kamboj S/o Harichand	Manger			Reply not received
73	Darshan(Mixture Plant)	Manger			Reply not received
74	Pall Crusser Zone	Pali			Reply not received

In Order to demolish the identified Encroachments in village Ankhir and Mewla Maharajpur District Magistrate appointed a duty magistrate. Most of the farm houses/Banquet halls owners showed




legal documents (copies attached) to the duty magistrate during the demolition drive, and they argued that if these encroachments will be demolished then it will be contempt of various Hon'ble courts. During this exercise approximately one acre of Forest land was vacated from encroachment by the duty magistrate. It is also submitted that Municipal Corporation Faridabad has demolished approximate 1200 no. jhuggies/structures illegal encroachment and about 25 acres of Forest Land was vacated from illegal encroachment in village Lakkarpur.


Deputy Conservator of forests,
Faridabad


Deputy commissioner,
Faridabad

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Office of the Range Forest Officer

Faridabad Range, Faridabad Bye Pass Road, Sector-17, Faridabad

Phone no.:- 0129-2222322, E-Mail ID R.F.O - rfo.fbd25@gmail.com

No.:

Dated:

To:

- 1- J.H. Realtec Pvt. Ltd.
Director- Naresh kumar s/o Jagdish,
Add- C-124B, Part-1, Greater kailash, N.Delhi.
- 2- Sandeep Chaprana s/o Tajpal Chaprana,
Add- Village Mewla Maharajpur, Faridabad

13/11
9/12/21

Sub: Notice.

It has been reported that you have under taken non Forestry activities in land bearing in village Ankhir in Faridabad District.

The said land is notified under section 4 and 5 of Punjab land preservation Act, 1900. As per the order of Hon'ble Supreme Court, the land so notified under PLPA is treated as "Forest" for the purpose of Forest Conservation Act, 1980 and execution of non-forestry activities by committing illegal encroachment, leveling of ground, breaking of land, erection of boundary wall, constructing concrete structures on land notified under section 4 and 5 of PLPA, 1900 are violations of orders of Hon'ble Supreme Courts and PLPA, 1900 & Forest conservation Act, 1980. Therefore, your action amounts to violation of the PLPA 1900 and Forest Conservation Act, 1980, Hon'ble NGT orders and Hon'ble Supreme Court orders.

Padma
a/s

Hence, you are hereby called upon your explanation within 10 days from the date of receipt to this notice why action cannot be initiated against you for violation of the orders of Hon'ble Supreme Court and PLPA, 1900 & Forest (Conservation) Act, 1980. Simultaneously, you are also directed to remove all the construction etc. and restore the original status of land. If you fail to submit your explanation or remove illegal encroachment by yourself within the specified time, the action will be initiated to remove illegal encroachment without any further reference to you. It is, hereby, clarified that no plea will be entertained after specified time. All sort of cost incurred on removal of illegal encroachment and restoration of area will be recovered from you and in case of default, it shall be a fit charge on the property and shall be recovered by disposing it under Land Revenue Act and other relevant laws. You shall also be booked under following laws for civil and Criminal offences:-

- a) Indian Forest Act, 1927
- b) Indian Penal Code, 1860
- c) Forest Conservation Act 1980.

Range Forest Officer
Faridabad.

Endst. No.: 1379

Dated: 02/02/21

A copy is forwarded to the Deputy Conservator of Forests, Faridabad for information and necessary action.


Range Forest Officer
Faridabad.

Office of the Range Forest Officer

Faridabad Range, Faridabad Bye Pass Road, Sector-17, Faridabad

Phone no.:- 0129-2222322, E-Mail ID R.F.O - rfo.fbd25@gmail.com

No.:

Dated:

To:

Sandeep Chaprana s/o Tejpal Chaprana,
Add- Village Mewla Maharajpur,
Faridabad.

Sub: Notice.

It has been reported that you have under taken non Forestry activities in land bearing in village Mewla Maharajpur in Faridabad District.

The said land is notified under section 4 and 5 of Punjab land preservation Act, 1900. As per the order of Hon'ble Supreme Court, the land so notified under PLPA is treated as "Forest" for the purpose of Forest Conservation Act, 1980 and execution of non-forestry activities by committing illegal encroachment, leveling of ground, breaking of land, erection of boundary wall, constructing concrete structures on land notified under section 4 and 5 of PLPA, 1900 are violations of orders of Hon'ble Supreme Courts and PLPA, 1900 & Forest conservation Act, 1980. Therefore, your action amounts to violation of the PLPA 1900 and Forest Conservation Act, 1980, Hon'ble NGT orders and Hon'ble Supreme Court orders.

Hence, you are hereby called upon your explanation within 10 days from the date of receipt to this notice why action cannot be initiated against you for

violation of the orders of Hon'ble Supreme Court and PLPA, 1900 & Forest (Conservation) Act, 1980. Simultaneously, you are also directed to remove all the construction etc. and restore the original status of land. If you fail to submit your explanation or remove illegal encroachment by yourself within the specified time, the action will be initiated to remove illegal encroachment without any further reference to you. It is, hereby, clarified that no plea will be entertained after specified time. All sort of cost incurred on removal of illegal encroachment and restoration of area will be recovered from you and in case of default, it shall be a fit charge on the property and shall be recovered by disposing it under Land Revenue Act and other relevant laws. You shall also be booked under following laws for civil and Criminal offences:-

- a) Indian Forest Act, 1927
- b) Indian Penal Code, 1860
- c) Forest Conservation Act 1980.

Range Forest Officer
Faridabad.

Endst. No.: 1364

Dated: 02/03/21

A copy is forwarded to the Deputy Conservator of Forests, Faridabad for information and necessary action.


Range Forest Officer
Faridabad.

972688

ITEM NO.303

COURT NO.5

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL D.NO(s). 29962 OF 2013

NARINDER SINGH & ORS

Appellant (s)

VERSUS

DIVESH BHUTANI & ORS

Respondent(s)

(With application for permission to file appeal and office report)

Date: 28/10/2013 This Appeal was called on for hearing today.

GRAM :

- HON'BLE MR. JUSTICE A.K. PATNAIK
- HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR
- HON'BLE MR. JUSTICE FAKKIR MOHAMED IBRAHIM KALIFULLA

For Petitioner(s)

- Mr. Mukul Rohtagi, Sr. Adv.
- Mr. Krishnan Venugopal, Sr. Adv.
- Mr. P. Rajesh, Adv.
- Mr. Tejaswi Kumar Pradhan, Adv.

Certified to be true copy
[Signature]
 Assistant Registrar (Jedl.)
 2013
 Supreme Court of India

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

Permission to file Civil Appeal is granted.

Delay condoned.

Application seeking exemption from filing
official translation is allowed.

Issue notice.

In the meanwhile, the appellants may carry on
their business of hosting marriages.

[Signature]
 31/10/13
 [KALYANI GUPTA]
 COURT MASTER

[Signature]
 [SHARDA KAPOOR]
 COURT MASTER

[Signature]
 31/10

1/11/13
 hcc
 9/11

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

24/8
972678

CIVIL APPEAL NO. _____ OF 2013

(APPEAL U/S 22 OF THE HON'BLE NATIONAL GREEN TRIBUNAL
ACT, 2010)

[Arising out of the impugned interim judgment and order dated 03.05.2013 passed by the Hon'ble National Green Tribunal, Principal Bench, New Delhi in Application No. 42 of 2013]

BETWEEN:

POSITION OF PARTIES

In the National Green Tribunal In this Court

1. Narinder Singh,
Owner of Khalsa Garden,
Opp. Siddhadata Ashram,
Surajkund-Badkhal Road,
Mewla Maharajpur,
Tehsil & Distt.-Faridabad,
Haryana State

Certified to be true copy
Assistant Registrar (Judicial)
2/12/13
2013
Petitioner
No.1
Court of India

2. Chander Mohan Khanna
Owner of Eden Gardens at
Mewla Maharajpur,
Opp. Siddhadata Ashram,
Surajkund-Badkhal Road,
Tehsil & Distt.-Faridabad,
Haryana State

Not a Party
FILED ON
3 9 SEP 2013
Supreme Court of India
Not a Party

Petitioner
No.2

3. Rahul Chowdhry,
Owner of Chowdhry Farms
Khasra No.1378/1/2 min. in
Village Anangpur,
Tehsil & Distt.-Faridabad,
Haryana State

Not a Party

Petitioner
No.3

4. M/s. Dawertax Pvt. Ltd. through
Director Shri Tarun Dawer,
Dawer Farms, Khasra No. 1374,
Village-Anangpur,
Tehsil & Distt.-Faridabad,
Haryana State

Respondent
No. 6

Petitioner
No.4

5

5. Jagpal Singh,
S/o Shri Harnam Singh Intezar,
Proprietor of Intezar Garden,
Khasra No. 1378/1/2,
Village-Anangpur,
Tehsil & Distt-Faridabad,
Haryana State

Respondent
No. 7

Petitioner
No.5

6. Rajiv Nath Rekhi
Partner of Exporama India,
Khasra No. 1378/2,
Village-Anangpur,
Tehsil & Distt-Faridabad,
Haryana State

Respondent
No. 8

Petitioner
No.6

7. Soninder Kumar,
Proprietor of Royal Garden,
Khasra No. 1374,
Village-Anangpur,
Tehsil & Distt-Faridabad,
Haryana State

Respondent
No. 9

Petitioner
No.7

8. Sunil Gulati,
Proprietor of Lotus Farms,
Khasra No. 1378,
Village-Anangpur,
Tehsil & Distt-Faridabad,
Haryana State

Respondent
No. 10

Petitioner
No.8

9. Diwan Singh Negi,
Proprietor of Rag Rasoi,
1378, Anandvan Greens,
Surajkund-Badkhal Road,
Faridabad,
Haryana State

Respondent
No. 11

Petitioner
No.9

Versus

1. Divesh Bhutani
S/o Late Sh. Charanjeet Bhutani,
R/o B-462, Chattarpur
Extension,
New Delhi-110074

Petitioner

Respondent
No. 1

2. Union of India
Through Secretary
Ministry of Environment and
Forests,

Paryavaran Bhawan
CGO Complex, Lodi Road
New Delhi-110003

Respondent
No.1

Respondent
No. 2

3. State of Haryana
Through Commissioner and
Secretary
Government of Haryana
Environment Department
Directorate of Environment
SCO 1-2-3
Sector 17-D (2nd Floor)
Chandigarh-160022

Respondent
No.2

Respondent
No. 3

4. Principal Chief Conservator of
Forests, Van Bhawan
C-18, Sector- 6,
Panchkula-134109,
Haryana State.

Respondent
No.3

Respondent
No. 4

5. Chairman
Haryana State Pollution Control
Board
Head Office:
C-11, Sector-6,
Panchkula-134109,
Haryana State.

Respondent
No.4

Respondent
No.5

6. Commissioner
Municipal Corporation of
Faridabad
NIT, Faridabad
Haryana-121001

Respondent
No.5

Respondent
No.
6

All are Contesting Respondents

To
The Hon'ble Chief Justice of India
And His companion Judges of the
Hon'ble Supreme Court of India

Chander Mohan s/o. S. District Town & Country Planner

DTP ORDER

In the court of Manish Kumar, Addl. District Judge, Faridabad.

Civil Appeal No.38 of 1.5.2015.
Date of decision: 31.7.2015.

1. Chander Mohan Khanna son of Shri P.C. Khanna, aged 50 years, R/o House No.25/9-10, West Patel Nagar, New Delhi.
2. Smt.Sudesh Malhotra w/o Sh.K.L.Malhotra, 62 years,
3. Smt.Roma Kapoor w/o Shri B.D.Kapoor, 61 years, R/o House No.G-146, Kalkaji New Delhi.
4. Nakul Goyal s/o late Shri S.S.Goel, aged 26 years, R/o House No.1355, Sector 7, Faridabad.

.....Appellants/plaintiffs

Versus

District Town and Country Planner (Enforcement), Sector 12, Faridabad.

.....Respondent/Defendant.

Civil Appeal against the judgment and decree dated 23.3.2015 passed by Ms. Neha Goyal, learned Civil Judge(Jr.Divn.), Faridabad.

Present: Sh.Deepak Gera, Advocate, learned counsel for appellants/ plaintiffs.
Sh.S.K.Deswal, learned Government Pleader for respondent/ defendant assisted by Sh.Azruddin, JE on behalf of respondent.

Judgment:

The present civil appeal is preferred against the judgment and decree dated 23.3.2015 passed by the court of Ms.Neha Goyal, learned Civil Judge (Jr.Divn.), Faridabad, vide which the suit of appellant/plaintiff was dismissed.

2. Brief facts of the plaintiffs' case are that plaintiff appellant no.1 to 3 and one Smt.Sudesh Goyal were owners in possession of area as

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Faridabad

Manish Kumar
Addl. District Judge
Faridabad 31.7.2015

detailed and described in para no.1 of the plaint situated at village Mewla Maharajpur, Tehsil and District Faridabad (hereinafter called the suit property) vide registered sale deeds dated 16.5.1999 and 9.2.2000. It is averred that Smt.Sudesh Goyal expired and after her death, the property stood transferred in the name of plaintiff no.4 and his sister to the extent of 1/4th share of Smt.Sudesh Kamari. It is further averred that boundary wall and other construction has been raised over the plot and the construction is approximately fifteen years old. Plaintiff is enjoying the peaceful possession and construction over the suit property and are paying the house tax to MCF regularly. It is averred that defendant is interfering into the peaceful possession of the plaintiffs over the suit property and vide memo No.206 dated 8.3.2013 is threatening the plaintiffs to demolish the construction raised by them over the same. It is further averred that defendant has no jurisdiction to pass any order or to issue any notice under Section 7 and 10 of the Haryana Urban Development Act as after commencement of MCF Act, 1994 all the powers vest with the Commissioner, MCF. It is averred that plaintiffs requested the defendants to withdraw the impugned notice dated 8.3.2013 and not to demolish their construction but in vain. Hence, this suit.

3. Upon notice, defendant appeared and filed written statement taking the preliminary objections of maintainability, locus standi, cause of action, concealment of material facts and jurisdiction etc. On merits, it is submitted that plaintiffs have made a false and concocted story whereas

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 SO, Faridabad 31.7.2015

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the true facts are that plaintiffs have erected unauthorized construction over the suit property and they are using the suit property for commercial purpose i.e. Banquet Hall and Party Lawn in the name and style of Eden Garden. It is further submitted that as per final development plan, 2013 the site of the plaintiffs' comes under the Badkhal Surajkund road which is proposed to be widened up to 200 feet with 30 meter wide green belt to both sides and open space along NH-2. It is submitted that payment of house tax, chulha tax, licence fee, electricity bill etc. does not make unauthorized construction authorized one and it continues to be illegal and unauthorized, unless and until either it is regularized or the same is demolished. It is further submitted that the suit property falls within the Urban area limit of Faridabad and the provisions of Urban Areas Act are applicable within and outside the Municipal limit of any town. It is submitted that as per the provision of Urban Area Act before raising any construction at the site, plaintiffs were required to obtain prior permission of the competent authority but the same has not been done by the plaintiffs and that they have raised illegal unauthorized construction within the Urban Area Limits of Faridabad without getting the building plan sanctioned and without obtaining permission of Director D.T.P. Hence, the alleged construction of the plaintiffs is illegal, unauthorized and without any permission of the competent authority and that the action taken against the plaintiffs is legal, valid and binding upon them. It is recommended that plaintiffs have also not availed efficacious and alternative

1 P/
 Municipal Commissioner,
 ADI, Faridabad. 31.7.2015

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 DEPUTY COMMISSIONER
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remedy of filing an appeal under Section 19 of the Act, 1975 before approaching the court and that the plaintiffs themselves are wrongdoer and they have raised construction in violation of provisions of Act, 1975 and thus, plaintiffs are not entitled to the relief as prayed for. Jurisdiction of the civil court to entertain the present suit is also barred. All other contents of the plaint were denied and prayed for dismissal of the suit.

4. From the the pleadings of parties, the learned lower court framed following issues :

1. Whether the plaintiff is entitled to the decree of declaration and permanent injunction as prayed for ? OPF
2. Whether the present suit is not maintainable ? OPD
3. Whether the suit is bad for want of concealment of material facts by the plaintiff from the Court? OPD
4. Whether the Civil Court has no jurisdiction to entertain the present suit ? OPD
5. Whether the plaintiff has no locus standi and cause of action to file the present suit ? OPD
6. Relief.

5. Parties have led their respective evidence.

6. On appreciation of the evidence led by the parties and contentions raised by his learned counsel for the parties, the learned trial Court decided issues no.1, 2, 3 and 4 against the plaintiffs; issues No.5 was decided against the defendant as not pressed and ultimately the suit of the plaintiff was dismissed.

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dated 11/7/15

[Signature]
401 dated 11/7/2015

7. Aggrieved from the aforesaid judgment and decree dated 23.3.2015, the present appeal has been preferred by the appellants/plaintiffs.

8. The learned counsel for appellants contended that the judgment of the learned trial court is bad on the ground of concealment of facts, mis-joinder of parties and jurisdiction of civil court. The learned trial court failed to appreciate that notice of the respondent is without jurisdiction. The learned trial court also did not appreciate the fact that on the date of judgment, injunction granted by the Hon'ble Apex Court was in force. The respondent has no territorial jurisdiction to issue any such notice. With these, it is prayed that the civil court has jurisdiction to grant relief of declaration with consequential relief of permanent injunction in view of Haryana Municipal Corporation Act, 1994 [hereinafter called 1994 Act].

9. On the other hand, learned P.R. assisted by JE of DTP Office opposed the contentions of appellants. It is contended that in view of Section 15 of the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Act, 1963 (hereinafter called 1963 Act), the jurisdiction of civil court is clearly debarred. In Section 2 of the said Act, DTP was empowered with the jurisdiction to issue any area which were declared a controlled area at once and had gone into municipal area subsequently. It is also contended that against any action or order of the Director of Town & Country Planning right of appeal is

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Rohatki

Munish Kumar
Advocate
Attested 31.7.2015

provided in the Act. In this way, suit as well as appeal of appellant is infructuous.

10. I have heard learned counsel for parties and have perused the material on record.

11. Appellants are owners of certain land referred as suit property by way of registered sale deed executed on 16.5.1999 and 9.2.2000. The suit property now falls within Municipal Limit and admittedly the appellants are paying house tax and other taxes to Municipal Corporation Faridabad, regularly. The defendant issued a show cause memo as to why the construction of the appellants be not demolished. After exhausting other remedies, like representations to officials of defendant, the appellants approached the civil court by way of the present suit and prayed that show cause memo of the D.T.P. may kindly be declared null and void and they are also restrained from interfering into the peaceful possession of the appellant as the defendant has no jurisdiction to pass any such order or any show cause memo under Sections 10 and 7 of Haryana Urban Development Act.

12. The plea of appellants is discarded by respondent. It is submitted by counsel for respondent that the appellants are using the suit property for commercial purpose and has constructed a banquet hall and a party lawn in the name and style of M/s Eden Garden and the suit property is being used purely for commercial purpose. It is further submitted that Government Notification was published on 18.10.1991

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vide which the development plan 2011 were published and the site of the appellant (suit property) falls within the development plan. Hence, the respondent has jurisdiction to pass such orders.

13. It is argued by the learned counsel that in view of the statutory provisions under the Municipal Corporation Act the jurisdiction of respondent is barred. It is argued that the property of the appellants were earlier falls in controlled area but now it comes within the municipal limit and no action can be taken against the appellant for the alleged violation of the controlled area restrictions. The learned counsel for appellants relied upon a full bench judgment of Hon'ble Punjab & Haryana High Court in CWP No.8011 of 1999 titled as *M/s Shiva Ice Factory Vs. State of Haryana and others* decided on 12.12.2007 and another Division Bench judgment in *Satpal and others Vs. State of Haryana and others* 2010(4) RCR (Civil) 331. Now the question arises before the court is whether DTP has a power to issue the show cause memo no.206 dated 8.3.2013; whether the civil court has jurisdiction to entertain the present suit; whether the suit property falls within the municipal limit and the respondent has no jurisdiction to exercise over it.

14. In terms of Section 25 of the 1963 Act, the State Government has framed the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development Rules, 1965. Part VII of such Rules regulated the construction of the buildings in the controlled area. The

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Selection Commission
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[Signature]
31.7.2013

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colonizers are required to prepare plans for residential, commercial and other purposes as per the conditions of development of colonies in a controlled area. Rule 19 prescribed conditions required to be fulfilled by a colonizer including an undertaking permitting the Director or any other officer authorized by him to inspect the execution of the layout and the development works in the colony and to carry out all directions issued by him for ensuring due compliance of the execution of the layout and development works in accordance with the permission granted. Rule 24 empowers the Director to call upon the colonizer to remove the violations in execution of the layout plans or the construction work. An application is required to be made by any person to the Director intending to erect or re-erect any building in the controlled area as per Part VII of the rules. The entire procedure and the conditions for raising of construction of the buildings are prescribed in Part VII of the Rules.

15. It may be noticed that in terms of Section 5 of the 1963 Act, the Director, Town and Country Planning. Under Section 203C(2) of the 1973 Act, the Director, Urban Development Department and the Commissioner under Section 346(3) of the 1994 Act have to satisfy the similar tests while preparing the plans within the scope of their respective jurisdiction. Similarly, under Section 346 of the 1994 Act, it is the Commissioner, who is competent to ensure compliance of the development plans in respect of controlled area declared under 1963 Act. This is so evident from the reading of Sections 346, 347, 348 and 349 as

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 Section Controller
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ADJ. REGISTRAR
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also when Section 351, which stands omitted by Act No. 20 of 2004. The Director, Town & Country Planning has no role in respect of an area falling within the limits of a Municipal Corporation.

16. Hon'ble Punjab & Haryana High Court in CWP No. 17048 of 2007 titled as *Rajat Kuchhal and others Vs. State of Haryana and others*, decided on 23.8.2012, after having done the comparative study of the 1963 Act and 1994 Act has held:

(i) *The Director, Town & Country Planning or any officer so appointed by the State Government is to ensure the compliance of the development plans and the provisions of 1963 Act in respect of controlled area and on the scheduled roads, outside the municipal limits.*

(ii) *The Director, Urban Development Department is competent to seek compliance of the development plans published under Sections 4 and 5 of the 1963 Act in terms of Section 203C of the Act unless such plans are modified in accordance with the procedure prescribed therein; and also by a delegate notified by the State Government in terms of Section 32 of the 1973 Act.*

(iii) *The Commissioner, Municipal Corporation is competent to seek compliance of the development plans published under Sections 4 and 5 of the 1963 Act in terms of Section 346 of the 1994 Act unless such plans are modified in accordance with the procedure prescribed; and also by a delegate notified by the State Government in terms of Section 401 of the 1994 Act.*

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11/8/15
 401/1994/2012

17. However, in *Premier Spinning Mills Pvt. Ltd. And another Vs. State of Haryana and others*" 2005(3) RCR(Civil) 298. The order passed by the Assistant Town Planner in respect of an area falling within the municipal limits was set aside. In *State of Haryana Vs. Kartar Singh and others*" 1989 PLJ 35, it is held by the Hon'ble Punjab & Haryana High Court that area governed by the Municipal Act is outside the scope and jurisdiction of D.T.P. It is further held that Section 203 of Municipal Act 1973 will operative. The same view was further taken by the Hon'ble Punjab & Haryana High Court in *Satpal and others Vs. State of Haryana, and others*" 2010(4) RCR (Civil) 331.

18. In the light of the above judgments wherein the Hon'ble Punjab & Haryana High Court has categorically stated that the provisions of 1973 Act are not inconsistent with 1963 Act but the provisions of 1973 Act will be operative. In specific findings in case titled as *Premier Spinning Mills Pvt. Ltd.*, wherein the order passed by the Assistant Town Planner in respect of an area falling within the municipal limits was set aside, this court is also of this considered view that the respondent has no authority left to pass an order pertaining to the area falls within the limits of Municipal Corporation Faridabad.

19. In the light of my above discussion, the appeal of the appellants is hereby accepted and allowed. The impugned judgment and decree dated 23.3.2015 is hereby set aside. The show cause memo

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Municipal Officer
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No.206 dated 8.3.2013 is hereby declared null and void. The claim of the appellants is also accepted. The respondents are further restrained not to interfere into the peaceful possession of the appellants over the suit property. Decree shall be prepared accordingly.

20. Trial Court record along with copy of this judgment be sent back and appeal file be consigned to the record-room.

Announced.

(Signature)
(Mansoor Ahmad)
Addl. District Judge,
Faridabad, 31.7.2015

All the eleven pages have been signed by me

(Signature)
(Mansoor Ahmad)
Addl. District Judge,
Faridabad, 31.7.2015

Application No. 9169
Date of Presentation 11/8/15
Record received on 11/8/15
Date of copy of copy 11/8/15
No. of pages 11 pages
332
30 *(Signature)*
11.8.2015

CERTIFIED TO BE TRUE COPY

(Signature)
EXAMINER
Authorised by Sec. to the
India F. C. Act
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Balesh Vs. MCF

PLAINTIFF
Copy of Judgment

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IN THE COURT OF NEHA GOYAL, CIVIL JUDGE (JR.DIVN.)
FARIDABAD

Case No. 75 of 2012

Date of Instt:-18.7.2012/28.6.2013

Date of Decision:- 8.1.2016

Smt. Balesh wife of Sh. Dharambir Singh, resident of H.No.169, Sec-15, Faridabad

Versus

.....PLAINTIFF

Municipal Corporation Faridabad,
Through its Commissioner,
B.K Chowk, NIT Faridabad

.....DEFENDANT

SUIT FOR PERMANENT INJUNCTION

Present:- Sh. Raj Pal Singh, Adv for the plaintiff.

Sh. Arun Katoch, Adv for the defendant

JUDGMENT:-

1. This suit is filed by the plaintiff against the defendants seeking the relief of permanent injunction restraining the defendants from demolishing the pillars of wire fencing, removing the plants over the land in question and interfering in the peaceful possession of the plaintiff over the suit property. Further, the relief of mandatory injunction is also sought to the effect that if the defendants succeed in demolishing the pillars of wire fencing and boundary wall, then, defendant be directed to construct the boundary wall and pillars of wire fences.

2. Brief facts of the case as emerged from the plaint are that the plaintiff has claimed herself to be the absolute owner and in possession of Gao Mumkin Pahad forming part of Khewat/Khata No 723/699, 957. Rect No 19, Killa No 110-1, 24/2-13, 25/6-16, Rect No 20, Killa No 20/0-13, 11/1-1, Rect No 21, Killa No 1/1(1-7), 10/2(0-1), Rect no 36, Killa No 4/6-8, 5/0-11, 6/7-17, 26/6/1, 110-11

Mr. Raj Pal Singh
Adv. for Plaintiff
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15(6-12), 16/2(4-5), 17 (8-0), 18 (8-0), 23/1(3-5), 25(1-3), Rect.No.37, Killa
(4-18), 4(5-10), 8/1(3-7) measuring 36 Kanal 16 Marlas and land ad-measuring 18
Kanal 12 Marla and the total land ad-measuring 75 Kanal 8 marlas situated within the
revenue estate of village Mewla Maharajpur, Tehsil & District Faridabad (hereinafter
referred to as "suit property"). It is submitted that the suit property was purchased by
the plaintiff vide a duly executed and registered sale deed No.8692 dated 26.10.2004 &
sale deed No.8049 dated 8.10.2004. It is submitted that after purchase of the suit
property, the plaintiff is in actual physical possession of the suit property. It is submitted
that the previous owners had built a boundary wall alongwith four gates in order to safe
guard the property and the same construction was existing for quite a long period. It is
submitted that there are fencing wire over the boundary wall and more than 200 plants
have been planted by the plaintiff and is also planting other trees on the suit property. It
is submitted that the plaintiff has also constructed four rooms and one old Temple of Sai
Baba is also existing over the suit property and electric connection is also installed over
the same. It is submitted that the defendant wants to demolish the small pillars of wire
fencing existing over the boundary wall of the suit property and no notice has been
issued in this regard. It is alleged that the officials of the defendant visited the suit
property on 13.7.2012 and threatened to demolish the wire fences and order the plaintiff
to stop plantation over the suit property. It is submitted that the defendant has no right to
demolish the boundary wall and wire fences, as the same is very much necessary to safe
guard the plantation and suit property from stray animals and encroachers and even to
identify the locate the same, but, the defendant is bent upon to demolish the same
without following the due procedure of law. It is submitted that the plaintiff has not
raised any fresh construction over the suit property and even the boundary wall and wire
fences has been constructed of stones lying at the site and the plaintiff has also not
violated any law of any statutory authority, but, the defendant is committed to

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of demolition of wire fences and removal of plants. Hence, this suit.

On notice, defendants appeared and filed Written Statement taking preliminary objections with regard to maintainability etc. On merits, it is submitted that the plaintiff has concealed the material facts from this Court, whereas, the true facts are that the boundary wall and barbed fencing wire has already been demolished by the defendant on 13.7.2012. So, in such circumstances, the suit of plaintiff becomes infructuous. It is submitted that the plaintiff has raised fresh construction over the suit property wrongly and illegally and without prior permission of MCF and local authority.

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It is submitted that the suit land falls in forest department area and any construction over the suit property in any manner whatsoever is in violation of provisions of Notification dated 25.8.1992 of Haryana Government. It is submitted that the plaintiff has no right to construct any boundary wall, temple, room etc over the suit property in any manner, whatsoever, for a period of 30 years from the date of Gazette Notification because the land bearing Rect.No.19 falls in the area of Forest Department. Rest of the contents of plaint are denied and prayer has been made for dismissal of the present suit.

4. From the pleadings of the parties, following issues were framed:-
1. Whether the suit of the plaintiff a decree of permanent injunction, as prayed for?OPP
 2. Whether the suit of the plaintiff a decree of mandatory injunction?OPP
 3. Whether the suit of the plaintiff is not maintainable in the present form? OPD
 4. Whether the suit of the plaintiff has no cause of action to file the present suit?OPP
 5. Whether the plaintiff has no cause of action to file the present suit?OPP
 6. OPD

ATTORNEY

BY

Both the parties were given the opportunity to file their written

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support of their rival contentions.

To prove her case, plaintiff Smt. Balash herself appeared in the witness-box as PW1 and tendered her affidavit Ex.PW1/A in his examination in chief, reiterating the version of plaint. Apart from it, she has tendered the following documents:-

- Ex.P1 :- Receipt issued by Electricity Department
- Ex.P2 :- House Tax Receipt
- Ex.P3 :- Photocopy of Sale deed dated 26.10.2004
- Ex.P4 :- Photocopy of sale deed dated 8.10.2004

S.K.Mehta appeared in the witness-box as PW2 and tendered his affidavit Ex.PW2/A in his examination in chief, reiterating the version of plaint.

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8. Sanjay Chaprana, Inspector, House Tax, MCF appeared in the witness-box as PW3. He has deposed that he has brought the summoned record and as per their record, Bala Devi has deposited the House and Fire Tax amounting to Rs.6,50,000/- on 26.11.2012 in their department and proved the receipt of the same as Ex.P2 and deposed that the said receipt was issued by their department and identified the signatures of Inspector Harinder Kumar over the same.

9. Sukhbir Singh, ARC appeared in the witness-box as PW4. He has deposed that he has brought the summoned record and proved the photocopies of sale deeds already tendered on record as Ex.P3 & Ex.P4 and deposed that same are correct and genuine, as per their record and same is in the name of Smt Balash.

10. Thereafter, Ld. Counsel for the plaintiff has tendered the following documents:

- Ex.P1 :- Electricity bill
- Ex.P2 :- House Tax Receipt
- Ex.P5 :- Mutation No. 10

ATTESTED
[Signature]
11.10.2014

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Ex.P6 :-Mutation No.6787

Ex.P7 :-Certified Copy of order dated 2.12.2013 passed by
the Hon'ble Supreme Court of India " Balesh & Others
Vs. Divesh Bhutani & Others"

Ex.P8 to Ex.P14 :-Receipts

Thereafter, evidence on behalf of the plaintiff was closed by Court order dated 8.7.2015 as the plaintiff has failed to conclude her evidence after availing several effective opportunities including last opportunity.

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11. On the other hand, defendants have examined Kartar Singh Dalal, J.E. MCF, Faridabad who appeared in the witness-box as DW1 and tendered his Affidavit Ex.DW1/A in his examination in chief.

Thereafter, evidence on behalf of defendant was closed by Court order dated 8.10.2015 as the defendant has failed to conclude its evidence after availing several effective opportunities including last opportunity.

12. I have heard Sh.Raj Pal Singh, Learned counsel for the plaintiff and Sh. Arun Katoch, Learned counsel for the defendant and have gone through the case file. My issue wise findings along with reasons thereon are as under:-

ISSUE No.1 & 2:-

13. Both these issues are taken together being interconnected. Onus to prove these issues was upon the plaintiff. Whatever has been pleaded has been argued at bar.

14. It is the case of the plaintiff that she is absolute owner and in possession of gair mumkin pahad as detailed in para no.1 of the plaint. Total area is meaning 16 Kanal 10 Marhi. vide a registered sale deed dated 26.04.2004. ...
Kanal 12 Marhi vide a registered sale deed dated 8.05.2004. ...
plaintiff has claimed herself to be the absolute owner in possession of the ...

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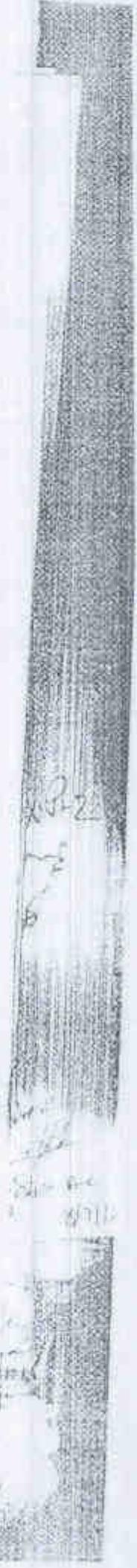
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total area ad-measuring 75 Kanal 8 Marla, situated within revenue estate of village Mowla Moharajpur, District Faridabad. The plaintiff has placed on record both the sale deeds dated 26.10.2004 pertaining to suit property ad-measuring 35 Kanal 16 Marlas as Ex.P3 and another sale deed dated 8.10.2004 pertaining to the suit property ad-measuring 38 Kanal 12 Marla as Ex.P4. The plaintiff has also examined Sukbir Singh, ARC, Sub-Registrar, who appeared in the witness-box as PW4 and has deposed that both the sale deeds Ex.P3 and Ex.P4 are correct and genuine as per their record and the said sale deeds are in the name of plaintiff Balesh. The plaintiff has also placed on record Mutation No.6786 and Mutation No.6787 Ex.P5 and Ex.P6, which are sanctioned in the name of the plaintiff on the basis of above-said sale deeds with respect to the suit property. Thus, from all the documents placed on record by the plaintiff, it comes out that the plaintiff is the absolute owner and in possession of the suit property, as detailed by her in para no.1 of the plaint.

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15. Now, the plaintiff has alleged that a boundary wall along with four gate has been in existence over the suit property for quite a long period, which was built up by the previous owners in order to safe guard the suit property and in order to locate and identify the suit property. Furthermore, there are also exists fencing wire over the boundary walls, there are also exists more than two hundred plants, which have been planted by the plaintiff since long. Furthermore, the plaintiff also constructed four rooms after purchasing the suit property and there are exist old Temple of Sai Baba in the suit property. The electricity connection in the name of son of the plaintiff is also existing in the suit property. The plaintiff has alleged that the defendants without issuing any notice to the plaintiff wants to demolish the small pillar of wire fencing existing near the boundary wall of the suit property. The plaintiff has alleged that on 17.12.2013, some officials of the defendant came to the spot and threatened to demolish the suit property and also ordered the plaintiff to stop planting. Whereas, the defendant has submitted



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demolish the boundary wall and wire fences as they are in existence since long and are very much necessary to safe guard the plantation and property from animals and encroachers. Hence, the present suit. To support her case, the plaintiff has examined herself as PW1 and also examined as many as three other witnesses to prove her case from PW2 to PW4. Apart from it, the plaintiff has also placed on record documents from Ex.P1 to Ex.P14 in support of her case.

16. On the other hand, the defendant has submitted that the barbed fencing wire over the suit property and the boundary wall has already been demolished by the defendant on 13.7.2012. So, the suit of the plaintiff has become infructous.

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Furthermore, the defendant has also submitted that as per Gazette Notification dated 25.8.1992, the plaintiff has no right to construct any boundary wall, Temple, roof etc over the suit property for a period of thirty years from the date of Gazette Notification dated 18.8.1992. So, it has been submitted that the plaintiff has violated the terms and conditions of above-said Notification, as the land bearing Rect. No.19 falls in the area of Forest Department. The defendant has placed on record the Notification pertaining to Forest Department as Mark A. The defendant has also examined Kartar Singh Dalal, J.E. MCF, who appeared in the witness-box as DW1 in support of the defence of the defendant.

17. After hearing the rival contentions of Ld. Counsel for the parties and gone through the record of case file very carefully, this Court has observed that from the documents placed on record by the plaintiff from Ex.P3 to Ex.P6, which are sale deeds dated 26.10.2004, 8.10.2004 and Mutations No.6786 and 6787 pertaining to the suit property existing in the name of the plaintiff, it comes out that the plaintiff is the owner in possession of the suit property, as detailed in para no. 1 of the plaint. Now the main grievance of the plaintiff is that the defendant is threatening to demolish the boundary wall and small pillars of fencing wire existing over the suit property of the plaintiff.

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without issuing any kind of notice to the plaintiff. On the other hand, the defendant has admitted that the said boundary wall as well as barbed fencing wire existing over the suit property of the plaintiff has already been demolished by them on 13.7.2012. So, in such a case, the defendant was required to show that they had issued a show cause notice to the plaintiff prior to demolishing the boundary wall and fencing wire of the plaintiff existing over the suit property. The plaintiff is already alleging that no notice of any kind has ever been issued by the defendant. Even, perusal of the case file also reveals that no show cause notice has been placed on record by the defendant prior to alleged

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demolition of the construction of the plaintiff existing over the suit property. Rather, DW1 has himself admitted in his cross-examination that MCF had issued notice under Section 261 of MCF Act to the plaintiff pertaining to the present case. But, he has admitted that no such notice exists on the Court file. So, it comes out that the defendant has not issued any kind of notice to the plaintiff prior to the alleged demolition of the construction existing over the suit property.

18. It is pertinent to mention here that the defendant has submitted in its written statement that boundary wall and fencing wire has already been demolished by the official of the defendant on 13.7.2012 by visiting at the suit property of the plaintiff. On the other hand, DW1 has stated in his cross-examination that he has visited the suit property two months before and the boundary wall, fencing, rooms and Temple are still in existence over the suit property. So, from the admission of DW1, who is none other than but Junior Engineer of defendant department, it comes out that the construction of the plaintiff i.e boundary walls, fencing wire, rooms and Temple are still existing over the suit property and has not been demolished by the defendant. Even otherwise even if the defendant is alleging that defendant has demolished the boundary walls, fencing wire of the plaintiff on 13.7.2012, in that case, the defendant was required to place on record some photographs to show the same and they...

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2.12.2013 passed by Hon'ble Supreme Court of India in civil Appeal No.36804 of 2013, vide which the plaintiff/appellant has already been granted permission to carry on its business of hosting marriages. On the other hand, the defendant has not produced any evidence to rebut the said document. Thus, it comes out that when the defendant has himself admitted that the construction of the plaintiff is still existing over the suit property. Furthermore, when the defendant has not been able to prove that they have already demolished the construction of the plaintiff, as alleged in the written statement and no other evidence has been brought on record by the defendant that the construction of the plaintiff is not existing over the suit property. Rather, on the other hand, the defendant is taking house tax and fire tax from the plaintiff till November 2012, therefore, it comes out that the construction of boundary wall, fencing wire, rooms, temple and plants are still existing over the suit property. Hence, in such a fact situation, this Court finds fit to restrain the defendant from demolishing the pillars of fencing wire, boundary walls, removing the plants existing over the suit property and from interfering into the possession of the plaintiff over the suit property except by way of adopting due process of law and till the final decision of the Hon'ble Supreme Court filed in an Civil Appeal No.36804 of 2013 titled as "Belesh & Others Vs. Divesh Bhutani & Others".

20. As regard the relief of mandatory injunction is concerned, as already discussed above, it has not been proved on record that the construction of the plaintiff existing over the suit property has been demolished by the defendant, as alleged in the written statement. So, when the construction of the plaintiff has not been demolished and is still existing over the suit property till date, therefore, the relief of mandatory injunction, as sought by the plaintiff is not made out in her favour. Accordingly, the same is hereby declined.

Accordingly, issue no.1 is decided in favour of the plaintiff and

