

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

O.A. NO. 135/2024

IN THE MATTER OF:

KHUSHBU SINGH

... .. APPLICANT

-Versus-

STATE OF U.P. & ORS.

... .. RESPONDENTS

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N.D.O.H- 20.11.2025

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Vijay Kumar Singh

RESPONDENT NO.11

Through

Rajiv Mishra
RAJIV MISHRA & ASSOCIATES

Advocates for Respondent

Chamber No. 103, block-III, Delhi High Court

New Delhi

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Email: office.rajivmishra@gmail.com

New Delhi

Dated:19.09.2025

BEFORE HON'BLE NATIONAL GREEN TRIBUNAL, PRINCIPAL
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REPLY AFFIDAVIT ON BEHALF OF THE RESPONDENT:- 11

MOST RESPECTFULLY SHOWETH:

I, Vijay Kumar Singh, aged about 48 years, Son of Lt. Sh.Lalji Singh, resident of Village Dubar Kalan, Lalganj, District Mirzapur-231211, Uttar Pradesh, presently at New Delhi do hereby solemnly declare and affirm as under –

1. That I am the respondent no.11 in the present OA and being conversant with the facts and circumstances of the case I am competent to swear this short Affidavit.
2. That unless the averments in the present OA are admitted specifically, the contents, the allegations and the averments made thereof are denied as false, frivolous, misleading, after thoughts.

Singh

3. That on 27.04.2022 E- tender was floated by the State Government for the purpose of excavating sand for the district Mirzapur, pursuant to which, the answering respondent participated in the said E-Tender and declared Lowest-1 (**L-1**).
4. That since the answering respondent was declared **L1, Letter of Intent** got issued in his favour on 29.06.2022. Further in terms of LoI, the answering respondent was asked to pay deposit requisite annual fee.
5. That the answering respondent on 30.06.2022 deposited a sum of Rs. 25,15,000/- and a sum of Rs. 16,19,600/- on 14.07.2022. Thus a total sum of Rs. 41,34,600/- was deposited by the answering respondent as a annual fee with the concern department of State Government.
6. That the answering respondent was also asked to furnish "Paryavaran Swakshta Praman' (Environment sanitation Certificate) from the department of Environment, Forest and Climate Change, Government of Uttar Pradesh, and the same was furnished only in the end of December, 2023.
7. However, to the utter shock and dismay, the office of District Magistrate (mining division) vide its order dated cancelled the **LoI** issued in favour of the answering respondent and directed to take the

Singh

amount deposited as a annual license fee, however, till date refund has not been made.

8. It is apposite to state that the answering respondent has not even worked for a single day on account of procedural formality or in absence of NOC. Furthermore, necessary plant and machinery were mobilized near the site however, in absence of NOC from the department, the work could not commence as a result of which the answering respondent suffered with huge monetary loss.
9. That in view of the admitted fact that the despite being the fact that the LoI was issued in favour of the answering respondent, the work could not commence on one or another pretext and finally the LoI got cancelled without following the principle of natural justice on 20.01.2024.
10. That no harm or injury can be attributed to the answering respondent as no work of excavating sand has commenced nor anything has been done which is detrimental to the environment or habitat loss or degradation for tortoise.
11. That the answering respondent seeks leave of this Hon'ble Tribunal to file further or detailed affidavit, if required at any stage of proceeding.
12. That no prejudice would cause if the name of the answering respondent is struck from the memo of parties as continuation of

Singh

legal proceeding against the answering respondent would cause both pecuniary and social loss.

13. That the contents of the short affidavit are true and correct.

PRAYER:

In view of the above facts and circumstances, it most humbly and respectfully prayed that the present OA is liable to be dismissed with compensatory cost.


Respondent No. 11

Through 

RAJIV MISHRA & ASSOCIATES
Advocates for Respondent
103, Lawyers' Chamber
Block-III, Delhi High Court, New Delhi
(M) 09971149344
Email: office.rajivmishra@gmail.com

New Delhi
Dated: 19.09.2025



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AFFIDAVIT

I, Vijay Kumar Singh, aged about 48 years, Son of Lt.Sh. Lalji Singh, resident of Village Dubar Kalan, Lalganj, District Mirzapur-231211, Uttar Pradesh, presently at New Delhi do hereby solemnly declare and affirm as under :-

1. That I am the respondent no.11 in the above titled OA and as such well conversant with the facts and circumstances of the present case and competent to swear the present affidavit.
2. That the accompanying reply has been drafted by my counsel under my instructions and the contents of which have been read over to me in my vernacular and I have understood the same, and are true and correct to my knowledge.
3. That the contents of the reply are not being repeated herein for the sake of brevity, however, the same may kindly be read as part and parcel of this affidavit.



Singh
DEPONENT

I identify the deponent who has signed in my presence
[Signature]

19 SEP 2025

VERIFICATION

Verified at New Delhi on this _____ day of September, 2025 that the contents of the above affidavit are true and correct to my knowledge and nothing material has been concealed therefrom.

[Signature]
DEPONENT



CERTIFIED THAT THE DEPONENT
Shri/Smt./Km..... *[Signature]* Age.....
S/o W/o
R/o
Identified by Shri/Smt. *[Signature]*
Has solemnly affirmed before me at Delhi
on..... at Sl.No.....
that the contents of the affidavit which have
been read & explained to me are true and
correct to his knowledge *[Signature]*
(Oath Commissioner Delhi)

19 SEP 2025

19 SEP 2025

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Short Reply Affidavit Scan Copy

Proof of Service

From: deep papnai (deeppapnai@yahoo.com)

To: pccf.up@nic.in; dedi.allbad@dcmsme.gov.in; maneeshmital@gmail.com

Date: Saturday 20 September, 2025 at 12:04 pm IST

Sir/ Madam,

'Please find the Respondents No. 11 advance copy of the Short Reply Affidavit Scan copy Case of Khusbu Vs State of UP .

Regards
Rajiv Mishra & Associate
Advocate for R-11



KHUSHBU SINGH.pdf
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