

BEFORE THE HONORABLE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH AT NEW DLEHI

ORIGINAL APPLICATION NO. 737 OF 2023

IN THE MATTER OF:

SOCIETY FOR VOICE OF HUMAN  
RIGHTS AND JUSTICE AND ANR

...APPLICANT

-VERSUS-

MAHALAXMI LAND AND FINANCE COMPANY & ORS. ...RESPONDENTS

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Place: New Delhi

Date: 11.04.2025



प्रमोद शर्मा

सहायक अभियन्ता

GHAZIABAD DEVELOPMENT AUTHORITY  
(RESPONDENT NO. 4)

THROUGH COUNSEL

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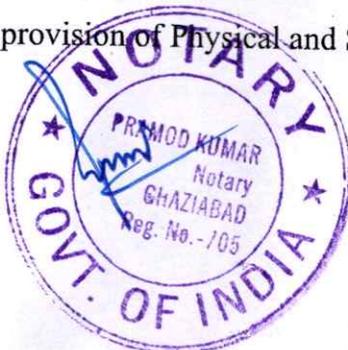
...RESPONDENTS

**SHORT REPLY ON BEHALF OF THE RESPONDENT NO. 4, GHAZIABAD  
DEVELOPMENT AUTHORITY IN THE MATTER OF SOCIETY FOR VOICE  
OF HUMAN RIGHTS AND JUSTICE AND ANR. V. MAHALAXMI LAND AND  
FINANCE COMPANY AND OTHERS O.A. 737 OF 2023.**

**MOST RESPECTFULLY SHOWETH: -**

1. That the present reply is being filed on behalf of the Respondent No. 4, Ghaziabad Development Authority in the present Original Application No. 737 of 2023 titled as *Society for Voice of Human Rights and Justice and Anr. v. Mahalaxmi Land and Finance Company and Others* pending for adjudication before the Hon'ble National Green Tribunal, Principal Bench, New Delhi (hereinafter referred to as 'the Hon'ble Tribunal').
2. That the Respondent No.4, Ghaziabad Development Authority (hereinafter referred to as 'the Respondent No.4') is created under Section-4 of Urban Planning and Development Act, 1973 by Government Order no. 738(1)-37-2-47-DA76, Lucknow dated 9th March 1977. The primary objectives of the Authority are preparation of Master Plan for Planned Urban Development, development & control as per Master Plan, Acquisition of Land and Management for Housing and Urban Development, Construction Housing and Development, provision of Physical and Social Infrastructure.

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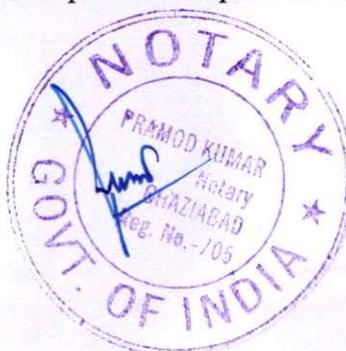
### 3. PRELIMINARY OBJECTIONS

- A. That, at the very outset it is submitted before this Hon'ble Tribunal that the relief sought by the Applicant in present matter is frivolous and baseless.
- B. That all the contentions submitted by the Applicant are denied in entirety save and except so far as specifically admitted herein. Nothing in the present reply may be deemed to be an admission for want of specific denial.
- C. That the colony has been developed by a private developer and the layout has been approved by Respondent No.4 only after receiving no objection certificate (NOCs) from all the departments.
- D. That the Respondent No. 4 has granted permission for construction limited only to the plots for which layout was approved. Any construction beyond the approved layout plan is impermissible.
- E. That the any action or inquiry, if required with respect to the khasra impugned as lake will be taken by the Revenue Department only. Further, Shalimar Garden Colony has been transferred to the Municipal Corporation Ghaziabad as per rules, therefore any inquiry with respect to sewerage system, water harvesting and encroachment on the green belt may be conducted by the competent authority.

### 4. PARAWISE REPLY

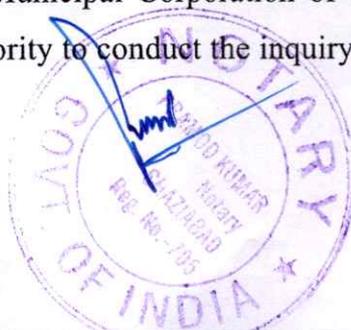
- a. That the contents of para 1-5 require no response.

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- b. That the contents of para 5.1 are vehemently denied. It is submitted that the layout plan No.-305/THA/88 for abadi colony Mahalaxmi Land Finance Company Shalimar Pasoda was approved on 20.06.1990, which includes Khasra No. 1560, 1558 and 1624. The approved layout plan does not include Khasra No. – 2476, 1564 impugned as lake.
- c. That the contents of para 5.2-5.3 do not require a response.
- d. That the contents of para 5.4 do not require a response as matter of record.
- e. That the contents of para 5.5 do not specifically pertain to the Respondent No. 4 however, it is denied to the extent of any erroneous assertion without specific proof. It is pertinent to mention that merely a true typed copy of Annexure A-2/P-2 has been provided without the copy of the original. Hence, the Respondent No. 4 reserves the right to reply.
- f. That the contents of para 5.6 does not require a response.
- g. That the contents of para 5.7 are denied as misleading. It is submitted that as per records the land indicate as Khasra No. 606 Tilla Shahbajpur is approved in the name of Prithvee Link and Developer Pvt. Ltd. The same has been approved only after receiving the No objection certificates from all the departments as per the rules.
- h. That the contents of para 5.8 are vehemently denied. It is humbly submitted that the Shalimar Garden Colony has been handed over to the Municipal Corporation of Ghaziabad, which is the competent authority to conduct the inquiry pertaining to illegal construction or

*Handwritten signature*  
AE



any other issues of sewage system, water harvesting or water treatment plant or any other encroachment. Further, it is submitted that the approved layout plan for the colony does not contain impugned Khasra No. No. – 2476, 1564 and Khasra No. 606 Tilla Shahbajpur is approved in the name of Prithvee Link and Developer Pvt. Ltd. only after receiving the No objection certificates (NOCs) from all the departments as per the rules. However, the original application does not contain original copies of the Annexures therefore the Respondent No. 4 reserves the right to reply in the event of any other new pleas or specific allegations pertaining to it.

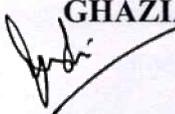
- i. That the contents of para 5.9-6 do not require a response.

Place: New Delhi/928

Date: 09 APR 2025

  
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GHAZIABAD DEVELOPMENT AUTHORITY  
(RESPONDENT NO. 4)

THROUGH COUNSEL

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**PRAYER**

In the view of present facts and circumstances, it is prayed before this Hon'ble Court that it may be please to:

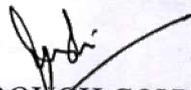
1. Dismiss the present application titled as *Society for Voice of Human Rights and Justice and Anr. v. Mahalaxmi Land and Finance Company and Others* O.A. 737 of 2023.
2. And/or pass any other order that it may deem fit and proper.

Place: New Delhi / 528  
Date: 09 APR 2025

  
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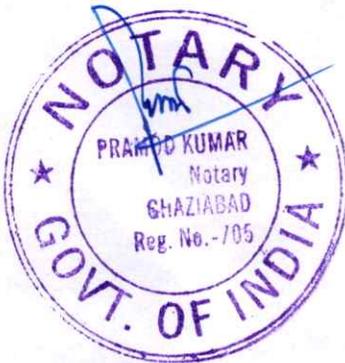
I, Pramod Kumar Sharma S/o Sri Bal Mukund Sharma aged about 59 years, presently posted as Assistant Engineer GDA, and R/o G.D.A. E2B, do hereby solemnly affirm and declare as under:

1. That I am the authorized representative of the Respondent Authority in the aforesaid matter and I am well conversant with facts and circumstances of the case and I am competent to swear the present affidavit.
2. That the contents of the accompanying short reply have been read over to me, which I understood and I state that the contents from para NOTARY to NOTARY are based on the records maintained by me and further as per the legal advice received and believed by me to be true.
3. That the Annexure filed with the present short reply are true copies of the originals.

[Signature]  
DEPONENT  
सहायक अभियन्ता

VERIFICATION

Verified at New Delhi on this 09 APR 2025 day of APR, 2025 that the contents of Para 1 to 3 of the above affidavit are true and correct to the best of my knowledge and belief and no part of it is false and nothing material has been concealed therefrom.



09 APR 2025  
Date  
Affidavit of  
Pramod Kumar Sharma (A.E)  
Identified by Sri B.M. Sharma  
Through Kaboor Chand  
ATTESTED  
09.4.2025  
PRAMOD KUMAR  
Advocate Notary  
Ghaziabad (U.P.) India

[Signature]  
DEPONENT  
प्रमोद शर्मा  
सहायक अभियन्ता  
[Signature]