

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
EXECUTION APPLICATION NO. 40/2026
IN
ORIGINAL APPLICATION NO. 815/2022**

IN THE MATTER OF:

SURESH CHAND

... APPLICANT

VERSUS

D.M. KAPASHERA & ORS.

...RESPONDENTS

I N D E X

<u>Sl. No.</u>	<u>Particulars</u>	<u>Pg. No.</u>
1.	STATUS REPORT ON BEHALF OF THE DISTRICT MAGISTRATE, SOUTHWEST DISTRICT, DELHI THROUGH SDM, MATIALA	1-4
2.	Annexure-A: Copy of the Demarcation Plan	5
3.	Annexure- B: Copy of the Joint Inspection Report Dated 08.04.2026	6
4.	Annexure- C: Copy of the Order dated 08.07.2026 in Contempt Case 669/2024	7-8

SDM, MATIALA
SOUTHWEST DISTRICT,
GOVT. OF NCT OF DELHI

THROUGH

NEW DELHI
DATE:24.07.2026


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**Before the Hon'ble National Green Tribunal
Principal Bench, New Delhi**

Execution Application No. 40/2026

In Original Application No. 815/2022

In the matter of:-

Suresh Chand

.....Applicant

Vs

DM Kapashera & Ors.

.....Respondents

**STATUS REPORT ON BEHALF OF THE DISTRICT MAGISTRATE, SOUTH-
WEST DISTRICT, DELHI THROUGH SDM, MATIALA**

MOST RESPECTFULLY SHOWETH:

1. That this Hon'ble Tribunal took cognizance of the present execution application on 29.05.2026 arising out of Original Application No. 815/2022 for the protection of the water body situated in Khasra No. 111, Village Kanganheri, thereby issuing notice to the answering respondent amongst others to file their responses.
2. That this Hon'ble Tribunal had disposed of the aforesaid Original Application on 23.09.2024 observing therein that:

"We, accordingly, dispose of this original application with consent of all the parties directing respondents' concerned authorities including Revenue Officials to take appropriate steps for restoration of pond in question to its original size and shape, if necessary, by removing encroachment, if any, on the pond land by taking appropriate steps in accordance with law provided there is no other legal or otherwise obstruction in above exercise, expeditiously."

3. It is respectfully submitted that the said pond in Khasra No. 111, Village Kanganheri, falls under Matiala Assembly Constituency.

4. That as per the demarcation dated 12.04.2024 of the Khasra No. 111 by the Revenue Department, copy of the demarcation plan is annexed hereto as **Annexure-A**, the desilting work was carried out and was completed by the I&FC department and thereafter fencing work of the pond was taken up and the western and southern sides of the pond has been completed.
5. On the other two sides, fencing work was started by I&FC Department but the local villagers created hindrance to the execution of the work on the ground claiming that the proposed fencing would obstruct the passage leading to their residential houses.
6. Further, to rejuvenate the pond at Kh. No. 111, a joint inspection of the pond area was conducted on 08.04.2026 under the supervision of the SDM (Matiala), wherein officers from the Revenue Department, BDO (South-West) and Irrigation & Flood Control Department were present. During the inspection, various environmental and site-related issues concerning the pond were examined.
7. That during the aforesaid inspection, the following were observed:-
 - i. A portion of the Gram Sabha land surrounding the pond was being used for dumping unmanaged solid waste/garbage by the local villagers;
 - ii. Open sewer lines from the village were directly discharging into the pond, resulting in pollution and deterioration of water quality;
 - iii. Encroachment was noticed around the boundary of the Gram Sabha land/pond area due to absence of proper boundary protection; and
 - iv. The pond embankment was found weak, muddy and unstable, creating the possibility of soil erosion and collapse during rains or rise in the water level.

Copy of the Joint Inspection report dated 08.04.2026 is annexed hereto as Annexure- B

8. That, based on the findings of the joint inspection, it was recommended that:

- i. A boundary wall/fencing be constructed to protect the pond bearing Khasra Nos. 111 from further encroachment;
- ii. Immediate removal of garbage and proper solid waste management be ensured by the concerned agency;
- iii. Necessary directions be issued to the concerned authorities for stopping the discharge of untreated sewage into the pond; and
- iv. Appropriate measures be taken to ensure that the pond area remains free from unauthorized occupation.

9. It is pertinent to mention here that before the demarcation dated 12/04/2024, a demarcation was also carried out on 28.02.2023. On the basis of this demarcation, a demolition was conducted on 15.05.2023 against the encroachment found.

10. Thereafter, Sh. Surender & Ors filed a contempt petition in the Hon'ble High Court, Delhi vide CONT.CAS(C) No. 669/2024 against the demarcation dated 28.02.2023 & demolition dated 15.05.2023 which was allegedly carried out without deciding the objections filed by the petitioner. And at present the said matter is also sub-judice in Hon'ble High Court of Delhi and next date in the said contempt matter is fixed for 30/11/2026 (as annexure - 'C').

11. On the other side, some villagers are strongly resisting the development/rejuvenation work of Pond at Khasra No. 111.

12. It is humbly submitted that the department is fully committed to restore the pond land bearing Khasra No. 111.

In view of the facts and circumstances stated hereinabove, it is most respectfully prayed that this Hon'ble Tribunal may graciously be pleased to

take the present Status Report on record and kindly list the present matter after 30.11.2026, i.e. after the next date fixed in CONT.CAS (C) No. 669/2024 pending before the Hon'ble High Court of Delhi, in the interest of justice.



ATrivedi
(ANUJA TRIVEDI, IAS)
SDM, MATIALA

THROUGH

New Delhi
Date: 24.07.2026.....

Jyoti
Jyoti Mendiratta
Advocate for the Govt. of NCT of Delhi

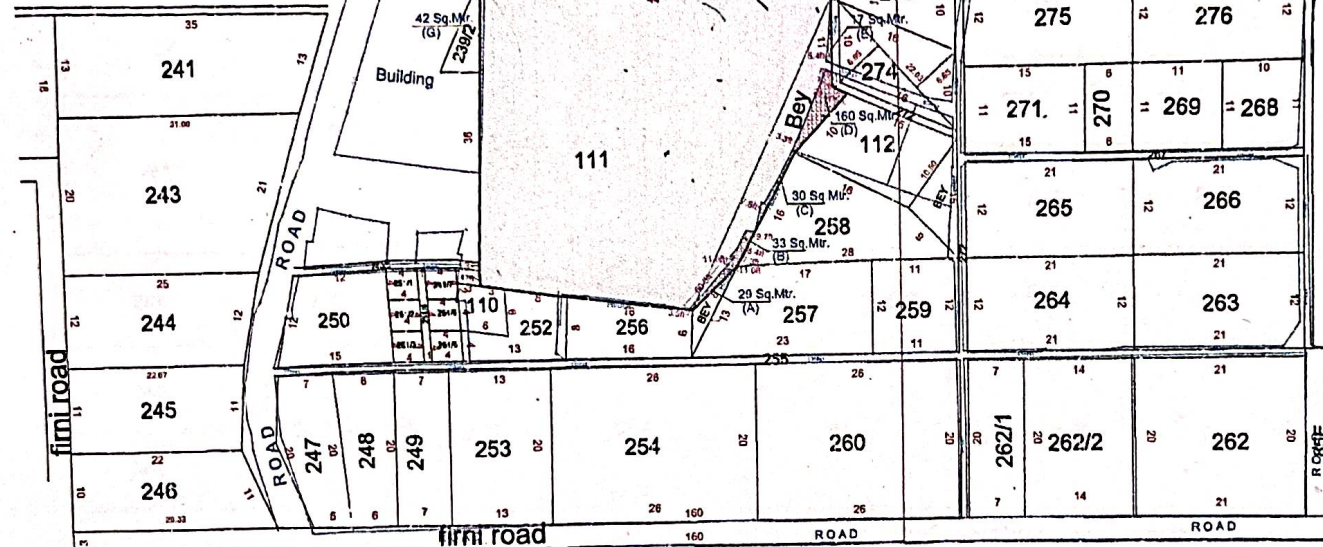
DEMARCATON PLAN OF KHASRA NO. 111, VILLAGE - KANGANHERI, NEW DELHI.

Annexure-A

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Demarcation Process:

1. Demarcation of Khasra No. 111, Village Kanganheri, New Delhi has been done by the orders of the Tehsildar Kapashera, New Delhi, by the T.S.M. (Total Station Machine) DOP-6 (DOP-6 Machine) and the demarcation of stone laid Khata No. 111, the process has been adopted as mentioned here with.
2. By the orders of Tehsildar Kapashera survey team reached with all required survey equipments such as T.S.M. (Total Station Machine) & DOP-6 Machine at site, in the presence of the Revenue officials, DOA officials & other department.
3. These reference points were laid and shown to us by the Revenue officials as mentioned below:
RF-1 North West Corner of Khasra No. 431/1 at Village - Kanganheri, New Delhi.
RF-2 North West Corner Khasra No. 431/1, at Village - Kanganheri, New Delhi.
RF-3 North East Corner Khasra No. 111/5, at Village - Kanganheri, New Delhi.
4. To start the demarcation Shizra plan, Measur & P old - book were received from revenue officials Kapashera.
5. Thereafter Cadastral Survey was carried out with T.S.M. (Total Station Machine) DOP-6 Machine taking existing external perimeters of buildings, boundary walls, Nallah, Bunds and reference points (shown by the Revenue officials).
6. Thereafter survey data was transferred from T.S.M. (Total Station Machine) DOP-6 Machine to the computer in AutoCAD format and getting co-ordinates of each point the survey drawing was prepared.
7. Shizra / Measur digitized in AutoCAD format using the sides of NEWS direction from Field Book (provided by the revenue officials) and converted it in a Block.
8. The digitized Shizra plan block was checked and verified by the revenue officials. Thereafter digitized Shizra plan was superimposed an survey plan prepared in AutoCAD format, by aligning the reference points (shown by the revenue officials) of the survey drawing and digitized Shizra plan Block.

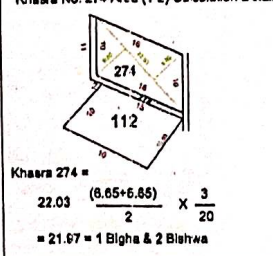


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Notes:-

1. All Survey dimensions are in feet unless otherwise mentioned.
2. Dimensions in Digitized Shizra block is mentioned in gathas.
3. Do not scale the drawing if in doubt please ask!
4. Unit 1 Gatha = 8'-3" = 2.5146 Mtrs.
5. Least Count for revenue unit is 1/3 gatha that is 2'-9", Standard size of a consolidated khasra is North to South side = 24 Gatha (198 feet) and East to West side = 26.867 Gatha (220 feet).
6. Standard size of a consolidated Mustil is North to South side = 120 Gatha (990 Feet) and East to West side = 133.33 (1100 feet).
7. Draft Plan (Dated 2-4-24) Checked and Verify by Revenue Staff Kapashera.

Khasra No. 274 Area (1-2) Calculation Detail



Encroachment Area Details of Kh.No. 111 (Johar)

Sl. No.	Khasra No.	Area Shown	Encroached by
1.	111	(A) 28 Sq.Mtr. (0-1)	Khasra No. 257
2.	111	(B) 33 Sq.Mtr. (0-1)	Khasra No. 258
3.	111	(C) 30 Sq.Mtr. (0-1)	Khasra No. 112
4.	111	(D) 160 Sq.Mtr. (0-3)	Khasra No. 274
5.	111	(E) 17 Sq.Mtr.	Khasra No. 274
6.	111	(F) 42 Sq.Mtr. (0-1)	Area Under Community Center
7.	111	(G) 42 Sq.Mtr. (0-1)	Khasra No. 239/2

The TEHSILDAR KAPASHERA KAPASHERA, NEW DELHI.

Project:- Demarcation of Khasra No.111 (Johar), Village - Kanganheri, New Delhi.

Drawing Title:- **DEMARCATON PLAN**



BHARDWAJ SURVEY DESIGN & CONSTRUCTION PVT.LTD.
C25-1, Top Floor, Rajpur Khurd, Near
Tivoli Garden, New Delhi-110068
Telephone: 8383824529, 8287678167
Email: bhardwajsurvey07@gmail.com

Drawn by - Virendra Singh
Checked by - A.K. Sharma
Scale - 1:1000
Sheet No. - 1 of 1
Revision No. - 1
Date - 2-4-2024
Sub. - 12-4-2024



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Annexure- B

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*** IN THE HIGH COURT OF DELHI AT NEW DELHI****+ CONT.CAS(C) 669/2024****SH. SURENDER & ORS.**

.....Petitioners

Through: None.
versus**MS. NAMGYAL ANGMO & ORS.**

.....Respondents

Through:

Mr. Raghvendra Upadhyay, Panel
Counsel GNCTD with Ms. Purnima
Jain, Mr. Madhur, Ms. Shivpa Taneja,
Advocates

41

+

CONT.CAS(C) 1545/2024**SH. SURENDER & ORS.**

.....Petitioners

Through: None.
versus**MS. SHELLY & ORS.**

.....Respondents

Through:

Mr. Raghvendra Upadhyay, Panel
Counsel GNCTD with Ms. Purnima
Jain, Mr. Madhur, Ms. Shivpa Taneja,
Advocates**CORAM:****HON'BLE MS. JUSTICE MINI PUSHKARNA****ORDER**
08.07.2026

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1. List on 30th November, 2026.**MINI PUSHKARNA, J****JULY 8, 2026**

Annexure- C

**JOINT INSPECTION REPORT, REGARDING DEVELOPMENT OF LAND
BEARING KH. NO. 148 & 111 (VILLAGE POND) IN VILLAGE
KANGANHERI**

Various representations were received regarding protection of Gram Sabha land (Khasra No. 148) and Development of Bank and Rejuvenation of Village Pond (Khasra No. 111) at Village Kanganheri, Tehsil Matiala.

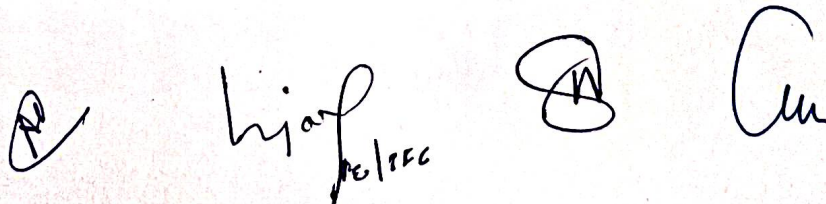
In this regard, a joint inspection was conducted under the supervision of the SDM (Matiala) on 08.04.2026 along with the BDO (South-West) and Assistant Engineer from the Irrigation & Flood Control (I&FC) Department.

During the aforesaid inspection/visit, the following issues were observed:

1. The pond area, which is part of Gram Sabha land, was surrounded by unmanaged solid waste/garbage. Villagers dump their garbage on the bank of this Pond.
2. Open sewer lines from the village are directly discharging into the pond, leading to severe pollution and degradation of water quality. It may also be harmful for aquatic life of the aforesaid pond.
3. Encroachment risks due to lack of proper boundary around the Gram Sabha land / pond area were also noted.
4. The pond area currently has weak, muddy, and swampy soil conditions, leading to chance of soil erosion and instability along the edges risk of bank collapse during rains or water level rise.

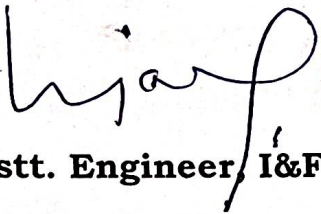
The present condition of the pond poses environmental hazards, public health concerns, and also leads to degradation of valuable Water body.

Photographs taken during the visit/inspections are also placed opposite for ready reference.



In view of the above, all the members suggested that:

1. In order to meet the demand of villagers and to protect the pond & Gram Sabha Land of Kh. No. 111 & 148 from encroachment, framing of a boundary wall along it may be considered.
2. As the pond area currently has weak, muddy, and swampy soil conditions, a strong embankment along the pond may also be constructed. The proposed embankment combined with a boundary wall is a necessary intervention to stabilize the pond's weak soil conditions and ensure long-term safety and usability. This embankment may also be used as a walk way/walking track by the villagers.
3. Immediate steps may be taken for removal of garbage and proper solid waste management in the surrounding area through the concerned agency.
4. Necessary direction may be issued to MCD/DJB to stop the inflow of untreated sewerage into the pond.
5. BDO office may also ensure that the pond area is not encroached.



(Asstt. Engineer, I&FC)



(Tehsildar, Matiala)



(BDO, South-West)



(SDM, Matiala)