

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

(In M.A. 3 of 2025 in Disposed of O.A. No. 209 of 2023)

Kapil Dev & anr. Vs. Municipal Commissioner & ors.

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Dated: 03-04-2025
Place: Ludhiana

Er. Kapil Dev
(Petitioner No. 1)
Petitioner in Person
aroraengineers@gmail.com
Mobile: 9872007872

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

(In M.A. 3 of 2025 in Disposed of O.A. No. 209 of 2023)

Kapil Dev & anr. Applicants

Vs.

Municipal Commissioner & ors Respondents

Rejoinder by Applicant No. 1 depicting deliberate non-compliance of orders of this Hon'ble Tribunal by Municipal Commissioner of Ludhiana repeatedly resulting in major damage to Environment due to illegally constructed building as well as illegal commercial activities in Greenbelts.

Hon'ble sir

Respectfully showeth

The Applicant No. 1 humbly submits as under:

1. That after directions of restitution of Greenbelts in O.A. 209 of 2023, this Hon'ble Tribunal wide orders dated 17-02-2025 was pleased to direct the Respondent No. 1 to comply with the orders of O.A. 209 of 2023 and submit the report before three days of next hearing. It is humbly submitted that no such report is found to be uploaded on NGT website till date.
2. **That the Respondent No. 1 is deliberately not complying with the orders of this Hon'ble Tribunal and besides action taken for removal of Municipal Corproaiton Zone D extension building & restaurant structure, the action has not been taken on**

remaining issues till date and sealing the buildings has been mere an eyewash as the seal is broken by the owners/inhabitants of impugned properties in active connivance with the Respondent No. 1 again and again and despite such criminal activities, no action has been taken against the culprits by Respondent No. 1. The present status of impugned locations is as under:

SCRAP YARD OF MCL:

The status of illegal Scrap yard is still same as was on 13-02-2025 i.e. Respondent no. 1 has once again failed to perform the lawful duty of compliance of orders of this Hon'ble Tribunal. Four photographs clicked on **03-04-2025** pertaining to existing structure of Scrap Yard depicting non-compliance to the final orders of this Hon'ble Tribunal in O.A. 209 of 2023 & orders dated 17-02-2025 in M.A. 3 of 2025 are produced herewith as **Annexure PM-7**.

BIRTH & DEATH REGISTRATION EXTENSION OFFICE OF MCL):

The building has been demolished and some civil works pertaining to boundary wall is in progress as on date at location.

REGARDING COMMERCIAL ACTIVITY BY PRIVATE PERSONS ON GREENBELT IN MODEL TOWN EXT. ROAD FROM PAKHOWAL ROAD TO DUGRI ROAD:

Restaurant: The structure of restaurant has been demolished but the illegal gate opening towards greenbelt area still exists.

Car Workshop: The seal fixed by Municipal Corporation is repeatedly being broken in active connivance with the Respondent No. 1 and illegal commercial activity is still going on by owner of the property. Two Photographs clicked on **03-04-2025** depicting

operational Car Workshop after breaking the seal fixed by MCL is produced herewith as **Annexure PM-8.**

Wine Shop: One door adjoining shutters towards greenbelt was found to be opened & commercial activity is found to be operational as on 03-04-2025. Such commercial activity is repeatedly being done in active connivance with the Respondent No. 1. One Photograph clicked on 03-04-2025 depicting wine shop operational and non-compliance of orders of this Hon'ble Tribunal by Respondent No. 1 is produced herewith as **Annexure PX-9.**

LORD SHIVA STATUE:

The sacred statue of Lord Shiva still exists in Leisure Valley (greenbelt area) as on 03-04-2025. One Photograph clicked on 03-04-2025 showing the Sacred Statue of Lord Shiva in impugned greenbelt is produced herewith as **Annexure PM-10.**

PRAYER:

Keeping in view of directions dated 04-07-2024 of this Hon'ble Tribunal in O.A. 209 of 2023 as well as orders dated 17-02-2025 in MA 3 of 2025, Environment laws, incomplete report submitted by MCL, present status of impugned locations, non-compliance of orders of this Hon'ble Tribunal by the Municipal Commissioner, the District Magistrate of Ludhiana & PPCB, it is clear that Respondent No. 1 & Chairman of Ludhiana Improvement Trust has failed to comply with the orders dated 04-07-2024 of this Hon'ble Tribunal, thus liable to be prosecuted under section 28 of NGT Act 2010. The Applicant humbly prays as under:

- i. Humble prayer for directions to MCL for removal of illegal openings like doors and shutters fixed towards greenbelt areas and construction of permanent wall

to prevent illegal commercial activity in greenbelts by the violators again and again.

- ii. Humble prayer for directions to the District Magistrate to strictly comply with the orders dated 04-07-2024 for restitution of both the greenbelts in true spirit.
- iii. Humble prayer for initiation of proceedings u/s 28 of NGT Act 2010 against the Respondent No. 1 as well as Chairman of Ludhiana Improvement Trust for failure in complying with the directions of this Hon'ble Tribunal repeatedly.



Er. Kapil Dev

(Petitioner No. 1)

Dated: 03-04-2025

Place: Ludhiana

PRESENT STATUS OF SCRAP YARD AS ON 03-04-2025



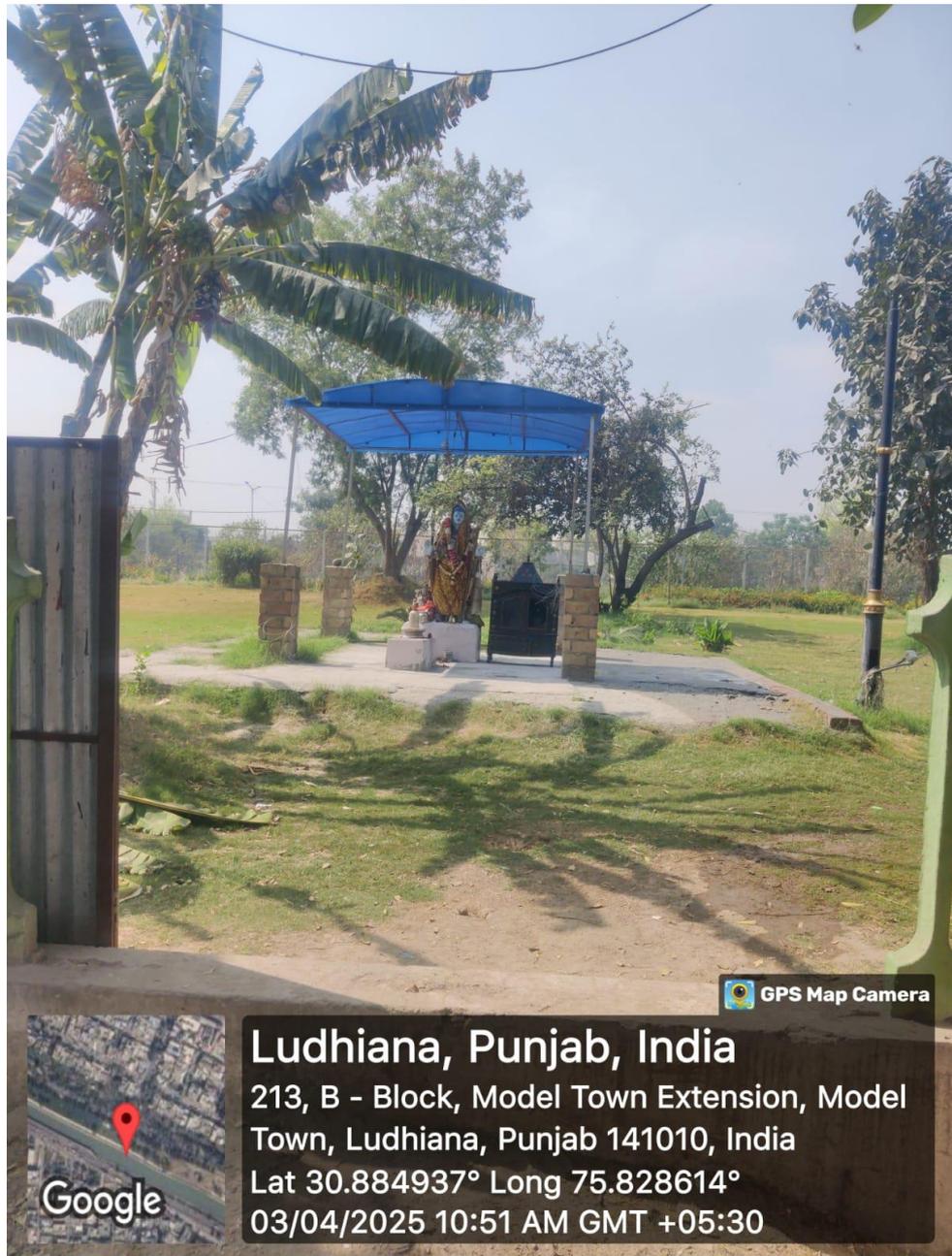


CAR WORKSHOP OPERATIONAL IN GREENBELT AREA AFTER REPEATED BEARKING OF SEAL



IMPUGNED WINE SHOP OPERATIONAL AS ON 03-04-2025





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

AFFIDAVIT

(In M.A. No. 3 of 2025 in Disposed of O.A. No. 209 of 2023)

Kapil Dev & anr. **Applicants**

vs.

Municipal Commissioner & ors. **Respondents**

Rejoinder by Er. Kapil Dev (aged 48 years) s/o Sh. Jagdish Chander, r/o 186-E, BRS Nagar, Ludhiana depicting deliberate non-compliance of orders of Hon'ble NGT by the Commissioner, Municipal Corporation Ludhiana.

RESPECTFULLY SHOWETH:

I, the above mentioned deponent do hereby solemnly affirm and declare as under:-

1. That the deponent is Applicant No. 1 (in person) and is filing rejoinder before this Hon'ble National Green Tribunal accompanying this Affidavit in M.A. No. 3 of 2025 in disposed of O.A. No. 209 of 2023.
2. That the contents of Para no. 1 to 5 of the rejoinder dated 03-04-2025 along with Annexures are true to best of my knowledge.

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03-04-2025

Place: Ludhiana
Dated: 03.04.2025

[Signature]
DEPONENT

Verification:

Verified that the contents of para 1 and 2 of this affidavit are true and correct. No part of it is false, and nothing material has been kept concealed therefrom.

Place: Ludhiana
Dated: 03.04.2025

[Signature]
DEPONENT

ATTESTED AS IDENTIFIED

[Signature] 03-04-2025

**NOTARY PUBLIC
LUDHIANA (PB)**

03 APR 2025



I know the Deponent/Excitants personally and he/she has Signed/Thumb impression in my presence

[Handwritten note:] verified that no affidavit signed by the deponent was readout & explained to the deponent & the deponent who seemed directly to understand the same & the making about the matter.

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Kapil Arora <aroraengineers@gmail.com>

Service of Document in MA 3 of 2025 (in disposed of case O.A. 209 of 2023) by Applicant No. 1

Arora Engineers <aroraengineers@gmail.com>

Fri, Apr 4, 2025 at 10:51 AM

To: dc.ldh@punjab.gov.in, commissionermdl@gmail.com, Joint Commissioner <joint.comm.m@gmail.com>, ceeldh.ppcb@punjab.gov.in, ceeludhiana@yahoo.com, ldh_it_2009@yahoo.co.in

Dear sir

PFA Rejoinder dated 03-04-2025 by Applicant in MA 3 of 2025 (in disposed of case O.A. 209 of 2023) as Service of Set of Documents.

Regards

Er. Kapil Dev
Petitioner No. 1
MA 3 of 2025 in O.A. 209 of 2023
Mob. 98720-07872,

 **Rejoinder by Applicant in MA 3 of 2025.pdf**
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