

**BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL
BENCH, AT NEW DELHI**

IN ORIGINAL APPLICATION NO.502 OF 2025

ARVIND GOEL

...APPLICANT

VERSUS

MUNICIPAL CORPORATION, LUDHIANA & ORS RESPONDENTS

I N D E X

Sr. No.	Particulars	Dated	Pages
1.	Short Reply on behalf of OP No.1 & 2	05.01.2026	1-4
2.	<u>ANNEXURE R-1</u> (Copy of Layout/Site Plant)	10.08.2001	5
3.	<u>ANNEXURE R-2</u> (Copy of Order passed by Hon'ble High Court of Punjab and Haryana)	21.11.2023	6-7
4.	Power of Attorney	05.01.2026	8

NOTE:-

1. That the next date of hearing is 12.01.2026.

CHANDIGARH
DATED: 05.01.2026

ADVOCATE
COUNSELS FOR THE ANSWERING OP NO.1 & 2

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MUNICIPAL CORPORATION, LUDHIANA & ORS

...OPP. PARTIES

**SHORT REPLY ON BEHALF OF OPPOSITE
PARTY NO.1 & 2 BY WAY OF AFFIDAVIT
OF AADITYA DACHALWAL, IAS,
COMMISSIONER, MUNICIPAL
CORPORATION LUDHIANA.**

RESPECTFULLY SHOWETH:-

1. That the present OA has been filed by the applicant with the prayer directing the official OPs to restrain the private OP No.6 to do construction for commercial use upon the plot measuring 3360 Sq. Yds. which has been kept for the purpose of Green-Belt in the area abutting Sector 1 & Sector 2 of Aggar Nagar, Ludhiana developed by OP No.5.



A handwritten signature in blue ink, appearing to be "A", located below the notary seal.

That it is relevant to submit here that the said property measuring 3360 Sq. Yds. is situated in the area namely Aggar Nagar which is developed by OP No.5-Society. The society-OP

No.5 had submitted the lay out plan/site plan of Aggar Nagar Sector 1 & Sector 2 also named as Block A and Block B situated at Ferozepur Road, Ludhiana and as per the site plan/lay out plan dated 10.08.2001 prepared and submitted by the society-OP No.5, there is no existence of Green Belt as alleged by the applicant. The copy of the said layout/site plan dated 10.08.2001 is attached as **ANNEXURE R-1**.

2. That further the applicant in order to mislead this Hon'ble Tribunal and the applicant had filed present OA against the OP no. 1 and 2 just to harass and had filed on the basis of false and frivolous averments in the OA. That it is pertinent mention here that there are many other establishments / Institutions / residential properties being constructed over the alleged piece of land (about 12,906 Sq. Yds.) on the both side of National Highway of Sector 1 and Sector 2-Block A & Block B of OP No.5- Society.



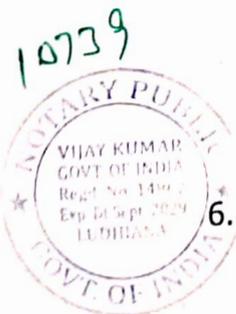
3. That it may be also noted here that a similar petition was earlier preferred by one of residents of OP No.5-Society who had filed a Writ Petition bearing CWP No.24438 of 2021 titled as "Abhay Goel and Another Vs. The Commissioner, Municipal Corporation, Ludhiana & Others" wherein a similar relief was sought and in the said writ petition the answering OPs while appearing as respondents No.1 had filed the reply and had

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apprised the Hon'ble High Court about the fact that there is no Green-Belt as alleged by the said petitioner as per the layouts plan, site plan and eventually the said writ petition was dismissed vide order dated 21.11.2023. The copy of the Order dated 21.11.2023 is appended herewith as **ANNEXURE R-2.**

4. That it may be also noted here that the OP No.6 is also duly paying the property tax upon the building being constructed since the date of applicability of the property tax and till date there is no arrears of property tax from OP No.6.
5. That however, it is also brought to the kind notice of this Hon'ble Tribunal that upon receiving a complaint by the applicant regarding illegal constructions being carried out by OP No.6, a Notice was issued to OP No.6 and in continuity further notice dated 10.03.2025 (P-12) was also issued to OP No.6. That however, the construction which was been carried out by the OP No.6 was stopped by the answering OPs and the OP No.6 have now applied to OPs No.1 for compounding in respect of the latest constructions, which is under consideration by the office of the answering OPs.
6. That the answering OPs-Municipal Corporation is the only Authority for the purpose of approval of the building/site plan which is being governed as per the Punjab Municipal



Corporation Act and Punjab Model Building Bylaws, it is submitted that answering OPs have already taken strict action against OP No.6 in terms of the violation of the Punjab Model Building Bylaws and in pursuance thereof the OP No.6 has submitted the fresh site plan which is pending consideration for its approval and the answering OPs shall take the decision in terms of the Punjab Model Building Bylaws.

However, the answering OPs No.1 & 2 reserves right to file detailed para wise reply if need be or as an when ordered by this Hon'ble Tribunal.

It is, therefore, respectfully prayed that in light of the submissions made in the reply and the material documents appended alongwith, the present OA may kindly be dismissed with cost.

Certified that the affidavit/SPN/GP has been readover & explained to the deponent/executant who seemed directly to understand the same at the time making thereof.

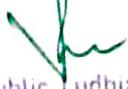
PLACE: LUDHIANA
DATED:


On Behalf of OP No.1 & 2
Commissioner
Municipal Corporation
Ludhiana

VERIFICATION:-

It is verified that the contents of Short Reply of my affidavit are true and correct to my knowledge as derived from the official records No part of it is false and nothing material has been concealed therein.

ATTESTED AS IDENTIFIED


Notary Public, Ludhiana (PB)

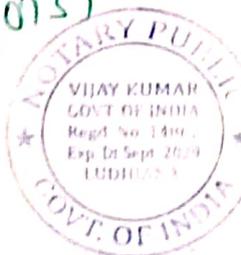
08 JAN 2026

PLACE: LUDHIANA
DATED:


On Behalf of OP No.1 & 2
Commissioner
Municipal Corporation
Ludhiana

I know the Deponent Executant Identifier personally and He/She has Signed Thumb Impression in my presence

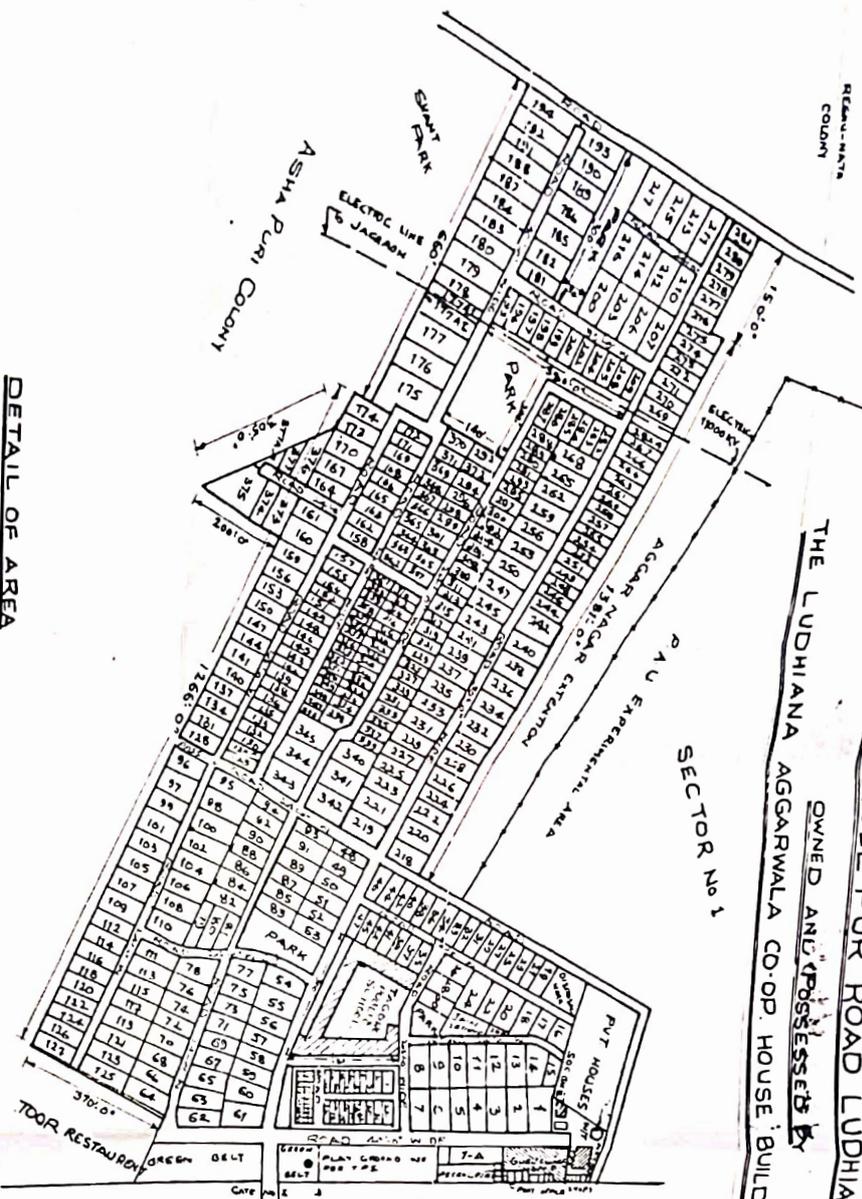
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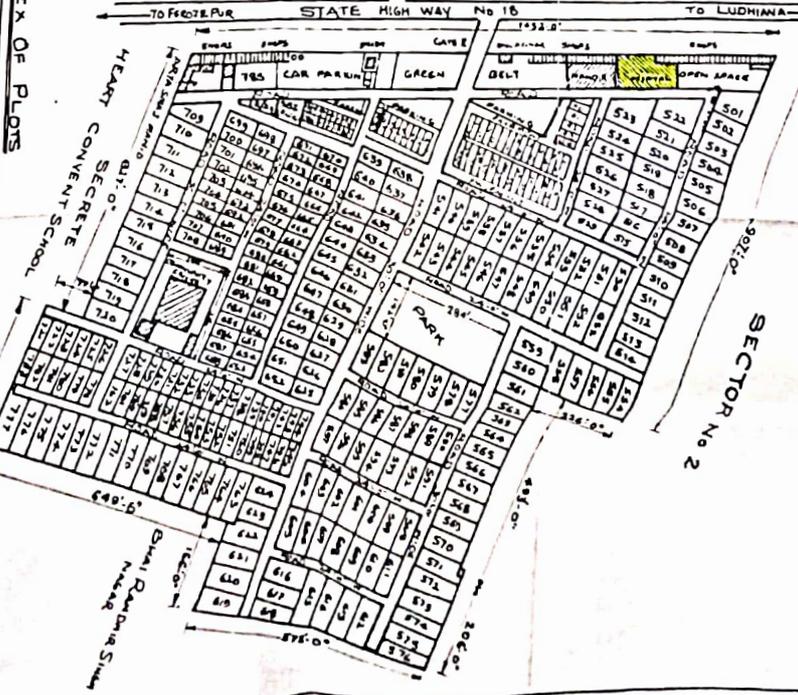
LAY-OUT - SITE-PLAN OF AGGAR NAGAR SECTOR 1 & 2
FEROZE PUR ROAD LUDHIANA

OWNED AND POSSESSED BY
THE LUDHIANA AGGARWALA CO-OP. HOUSE BUILDING SOCIETY LTD



DETAIL OF AREA

SNA	DESCRIPTION	SECTOR No 1	SECTOR No 2
1.	AREA UNDER PLOTS	128285 S Yds	118616 S. Yds
2.	AREA UNDER ROADS	47497 S Yds	27751 SQ Yds
3.	AREA UNDER OPEN SPACE	37120 S Yds	37466 SQ Yds
4.	AREA UNDER SCHOOL	6454 S Yds	COMMUNITY CENTER 3360 S
5.	TOTAL AREA	209354 S Yds	187194 SQ Yds
	TOTAL AREA SECTOR No 1 AND SECTOR No 2	396548 S Yds (8179 A=)	



INDEX OF PLOTS

SECTOR	CATEGORY OF PLOTS	NO. OF PLOTS	SQ. FT. ROOM
SECTOR-1	500 X 100	134	59
SECTOR-2	100 X 100	180	31
TOTAL		314	90

DRAWN BY
CHECKED BY
APPROVED BY

GATEWAY

GATEWAY

GATEWAY





CWP-24438-2021

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2023:PHHC:148831

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-24438-2021

Date of Decision: November 21, 2023

Abhay Goyal and another

.....Petitioner(s)

Vs.

The Commissioner, Municipal Corporation,
Ludhiana and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Aayush Gupta, Advocate for the petitioner(s).
Mr. Parambir Singh, Advocate for respondent no.1.
Mr. Arun William, AAG, Punjab for respondent No.2.
Mr. Manbir Singh, Advocate for respondent No.3.
Ms. Pooja Yadav, Advocate for respondents No.4 and 5

RAJESH BHARDWAJ J. (ORAL)

Through the present petition, the petitioner seeks issuance of direction in the nature of mandamus directing the official respondents to restrain the private respondents from doing construction for commercial use upon the plot which has been kept for the purpose of green belt as the same is totally arbitrary and unjustified.

2. On issuance of notice, respondent No.1 has filed the reply. Counsel for respondent No.1 has drawn attention of this Court to the reply filed where it has been mentioned that the contentions raised by counsel for the petitioner are totally beyond the facts. He has submitted that the site plan was sanctioned by respondent No.1 for the residential purposes only and on



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verification it has been found that there is no violation of plan sanctioned by respondent No.1. He has also submitted that the construction which has been disputed by the petitioner, is also not in the green belt and the same is as per site plan and is beyond the green belt and thus there is no violation committed by respondents as alleged.

3. In view of the submissions made by counsel for the parties and perusal of the record, it is apparent that construction raised is not in green belt and thus there is no need to issue any direction in the present petition.

4. Accordingly, the present petition is disposed of with liberty to the petitioner to avail any other remedy available to him in case any cause of action survives.

(RAJESH BHARDWAJ)
JUDGE

November 21, 2023
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Whether speaking/reasoned: Yes/No
Whether reportable: No

VAKALATNAMA

**BEFORE THE NATIONAL GREEN TRIBUNAL, PRINCIPAL
BENCH, NEW DELHI
O.A. NO. 502 OF 2025**

IN THE MATTER OF:

Arvind GoelPetitioner
VERSUS
Municipal Corporation Ludhiana and othersRespondents

KNOW ALL to whom these present shall come that I, Aaditya Dachalwal, IAS, Commissioner, Municipal Corporation Ludhiana the above named Respondent do hereby appoint.

Naginder Benipal,	Arjun Baliyan	Udit Vaghela
D/1625/2009	D/9480/2025	D/3400/2024

(herein after called the advocate/s) to be my /our Advocate in the above- noted case authorise him :-
 To send notices and representations on our behalf.

To act, appear and plead in the above- noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each court by me/us.

To sign, file, verify and present pleadings, appeals cross-objections or petitions for executions review revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subjects to payment to fees for each stage.

To file and take back documents, to admit and /or deny the documents of opposite Party.

To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings.

To deposit, draw and receive money ,cheques, cash and grant receipts here of and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case.

To appoint and instruct any other Legal Practitioner authorising him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign. the power of attorney on our behalf.

And I/we undersigned do hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all Intents and purposes.

And I/we undertake that I/we or my/ our duly authorised agent would appear in Court on all hearings and will inform the Advocate for appearance when the case is called.

And I/we undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the Court shall be of the Advocate which he shall receive and retain for himself

And I/we the undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/ us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution or the said case until the same is paid up. The fee settled is only for the above case and above Court . I/we hereby agree that once the fees is paid , I/we will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more them 3 years the original fee shall be paid again by me/us.

IN WITNESS WHERE/OF I/we do hereunto set my / our hand to these presents the contents of which have been understood by me/us on this 05 day of January, 2026.

Accepted subject to the terms of the fees.

Naginder Benipal
 Advocate

Arjun Baliyan

Udit Vaghela

[Signature]
 Client

**Commissioner
 Municipal Corporation
 Ludhiana**