

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

O.A. No. 622 of 2024

IN THE MATTER OF:

Varun Gulati

...Applicant

Versus

State of Haryana & Ors.

...Respondents

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FILED THROUGH:







[SIDDHARTH BATRA], [ARCHANA YADAV] [SHIVANI CHAWLA]





[CHINMAY DUBEY] & [RHYTHM KATYAL]

Advocates for Respondent No. 112- M/s Metro Pulp Industries
8A, Sagar Apartments, 6-Tilak Marg,
New Delhi-110001.
Mob.: 9888884445

Date: 03.05.2025
Place: New Delhi

E-mail: siddharth.batra@satramdass.com
Phone: 011 4704 6111

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**SHORT REPLY ON BEHALF OF THE RESPONDENT NO. 112-
M/S METRO PULP INDUSTRIES**

MOST RESPECTFULLY SHOWETH:

1. That the present Reply is being filed on behalf of Respondent No. 112- M/s Metro Pulp Industries in the above-captioned original application pending before this Hon'ble Tribunal. At the very outset, it is most respectfully submitted that the filing of this Reply shall not, in any manner, be construed as acquiescence by the answering respondents to their impleadment in the present proceedings. On the contrary, this Reply is being submitted to demonstrate that no cause of action exists against the answering respondents and, therefore, they ought to be discharged from the present case as improperly impleaded parties.
2. That the present reply is being submitted on behalf of the industries that have been impleaded as Respondents in the above-captioned matter despite being fully compliant with the environmental laws, regulations, and standards as prescribed under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.

3. That the Joint Committee Report annexed as Annexure 4 categorically marks the above industries as 'Compliant', indicating full adherence to environmental norms, proper operation of their respective Primary Effluent Treatment Plants (PETPs), and non-involvement in any unauthorized discharge or groundwater extraction violations.
4. That the impleadment of compliant industries in the present matter is arbitrary, as there exists **no cause of action** against them. The Hon'ble Supreme Court and various High Courts have repeatedly held that a party that has not committed any wrong ought not to be unnecessarily impleaded in a proceeding, as it leads to an unwarranted burden on the judicial system and prejudices the rights of the parties involved.
5. That the National Green Tribunal is governed by the provisions of the Code of Civil Procedure (CPC). Order VII Rule 11 of the CPC explicitly states that a suit or plaint may be rejected if it fails to disclose a cause of action against a specific defendant. In the present case, there is no specific cause of action against the compliant industries, and their impleadment in these proceedings is without basis.
6. That the Hon'ble Tribunal's Order dated 08.01.2025 makes general observations regarding environmental issues in the Barhi Industrial Area; however, these observations do not apply to the compliant industries. Thus, including these industries as parties in the present proceedings is not justified and would lead to unnecessary litigation burdens.

7. That the Respondents reiterate their commitment to environmental protection and have consistently undertaken all required measures to ensure compliance with statutory requirements. These include regular monitoring, submission of compliance reports to the Haryana State Pollution Control Board (HSPCB), and investment in sustainable industrial practices.
8. That in light of the above, it is humbly submitted that the present compliant industries may be delisted from the present proceedings, as they have not violated any statutory provisions, and their continued impleadment in this matter would only serve to unduly burden the Hon'ble Tribunal.

PRAYER

In light of the foregoing submissions, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- A. Delete the names of the answering respondents from the present proceedings, as their impleadment is arbitrary and without cause;
- B. Pass any other order(s) as may be deemed fit and proper in the interest of justice.



[SIDDHARTH BATRA], [ARCHNA YADAV] [SHIVANI CHAWLA]



[CHINMAY DUBEY] & [RHYTHM KATYAL]

Advocates for Respondent No. 112- M/s Metro Pulp Industries
8A, Sagar Apartments, 6-Tilak Marg,
New Delhi-110001.
Mob.: 9888884445

Date: 03.05.2025
Place: New Delhi

E-mail: siddharth.batra@satramdass.com
Phone: 011 4704 6111

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...Respondents

AFFIDAVIT

I, Sachin Wadawa S/o Ved Prakash Wadawa, aged about 37years R/o B-220, Ashok Vihar, Delhi-110052, do hereby solemnly affirm and state as under:

1. That I am the authorized signatory of Respondent No. 1~~2~~, M/s Metro Pulp Industries, having its office at 415, HSIIDC phae-1, BARHI, Sonipat, in the aforesaid Original Application, I am aware of the facts and circumstances of the case in my official capacity as stated above and hence, entitled to swear this affidavit.
2. That the accompanying reply has been drafted by my counsel under my instructions, and I say that the statements and submissions made in the said reply are true and correct to best of my knowledge based upon the records and my belief. I pray that the said reply to be treated as part and parcel of this Affidavit and the same is not being reproduced for the sake of brevity.
3. I say that the documents / annexure produced along with the reply are true copies of its originals.



Sachin Wadawa
DEPONENT

VERIFICATION:

Verified that the contents of the above affidavit are true and correct to the best of my knowledge, belief and nothing material information has been concealed therefrom. No part of it is false.

Verified at _____ 22 FEB 2025 on this 2025 day of _____, 2025.

Sanjeev
DEPONENT



ATTESTED
Sy
Notary Public Delhi

22 FEB 2025

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IN THE MATTER OF:

Varun Gulati

...Applicant

Versus

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...Respondents

VAKALATNAMA

KNOW ALL to whom these present shall come that I/We M/s Metro Pulp Industries, office at 415, HSIIDC phae-1, BARHI, Sonipat, through Authorised Representative Mr. Sachin Wadawa (Partner), the above named Claimant/Applicant do hereby appoint:

SIDDHARTH BATRA (P/1083/2004), ARCHNA YADAV (D/1837/2020), SHIVANI CHAWLA (D/2233/2019), CHINMAY DUBEY (D/8141/2021) & RHYTHM KATYAL (D/3528/2022);
ADVOCATES

Satram Dass B & Co., 8A, Sagar Apartment, 6 Tilak Marg, New Delhi- 110001
Mob: 9013082887, Email: vijay.kumar@satramdass.com

(hereinafter called the advocate/s) to be my/our Advocate in the above noted case authorized him:-

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, withdraw, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the execution of the said case in all its stages subject to payment of fees for each stage.

To file and take back documents, to admit and/or deny the documents of opposite party. 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 moneys, cheques, cash and grant receipts thereof 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 other Legal practitioner or person, authorizing him to exercise the power and authority hereby conferred upon the Advocates whatever he may think fit to do so and sign the power of attorney;

And I/we the undersigned do hereby agree to ratify and confirm all acts done by the Advocates or their substitute in the matter as my/our own acts, as if done by me/us to all intents and purposes. And I/we undersigned undertake that I/we or my/our duly authorized agent would appear in court on all hearings and will inform the Advocates 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. 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 advocates remaining unpaid they shall be entitled to withdraw from the prosecution of 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 fee 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 than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHEREOF, I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this 3rd day of May, 2025.

Accepted, identified and certified subject to the terms of the fees.

Sy
[SIDDHARTH BATRA] [ARCHNA YADAV]

Shivani Chawla *Chinmay* *Rhythm*
[SHIVANI CHAWLA] [CHINMAY DUBEY] [RHYTHM KATYAL]

Advocates

For METRO PULP INDUSTRIES

SACHIN
Partner
CLIENT

METRO PULP INDUSTRIES**415, Phase-1, HSIIDC Ind. Estate, BARHI, Distt. Sonipat, Haryana-131101****BOARD RESOLUTION**

CERTIFIED TRUE COPY OF RESOLUTION PASSED IN THE MEETING OF BOARD OF DIRECTOR OF M/S METRO PULP INDUSTRIES, HELD ON 19TH of February 2025, AT 11.00 AM AT THE REGISTERED OFFICE: 415, HSIIDC IND. ESTATE, BARHI, SONIPAT-131101.

RESOLVED THAT Mr. Sacin Wadawa, be and is hereby authorized on behalf of M/s Metro Pulp Industries, to initiate, file, defend, represent, and conduct legal cases, proceedings, or claims in any court of law, tribunal, or any other judicial or quasi-judicial authority in connection with the business or matters of the LLP.

RESOLVED FURTHER THAT Mr. Sacin Wadawa, is authorized to sign, verify, and submit all necessary documents, affidavits, pleadings, applications, and undertakings, and to appoint advocates, solicitors, and other professionals as may be required for such proceedings.

RESOLVED FURTHER THAT all actions taken by Mr. Sacin Wadawa in connection with the above matters be and are hereby ratified and confirmed by the Firm.

RESOLVED FURTHER THAT a certified true copy of this resolution be provided to all concerned authorities as and when required for their records and reference."

For M/s Metro Pulp Industries

For METRO PULP INDUSTRIES

Mahesh
Partner

Partner

Dated: 19/2/2025



भारतीय विशिष्ट पहचान प्राधिकरण

भारत सरकार
Unique Identification Authority of India
Government of India

नामांकन क्रम / Enrollment No.: 0635/10330/33774

To
सचिन वाधवा
Sachin Wadhwa
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ASHOK VIHAR PHASE-1
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9211766660
148271666
ME482716665FH



आपका आधार क्रमांक / Your Aadhaar No. :

1775

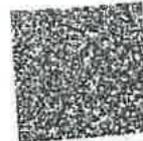
मेरा आधार, मेरी पहचान



भारत सरकार
Government of India



सचिन वाधवा
Sachin Wadhwa
जन्म तिथि / DOB : 01/10/1987
पुरुष / Male



1775

मेरा आधार, मेरी पहचान

Sachin



Vijay Kumar <vijay.kumar@satramdass.com>

Advance service copies of short reply on behalf of Respondent Nos. 12, 36, 78, 80, 81, 82, 86, 91, 109, 110, 112 & 115 - M/s Vibrant Yarns in O.A. No. 622/2024 titled as 'Varun Gulati v. State of Haryana & Ors.'

1 message

Vijay Kumar <vijay.kumar@satramdass.com>

Sat, May 3, 2025 at 2:53 PM

To: Mansi Chahal <mansichahal104@gmail.com>, Varun Gulati <jansewajanhit@gmail.com>

Cc: Chinmay Dubey <chinmay.dubey@satramdass.com>, Shivani Chawla <shivani.chawla@satramdass.com>, Archana Yadav <archana.yadav@satramdass.com>, Rhythm Katyal <rhythm.katyal@satramdass.com>, Parth Poonia <Pooniiparth2000@gmail.com>

Dear Sir,

PFA.

Advance service copies of short reply on behalf of Respondent Nos. 12, 36, 78, 80, 81, 82, 86, 91, 109, 110, 112 & 115 - M/s Vibrant Yarns in O.A. No. 622/2024 titled as 'Varun Gulati v. State of Haryana & Ors.'

Kindly treat the same as Proof of service.

Regards

Vijay Kumar
Office Manager

8A Sagar Apartment
6 Tilak Marg
New Delhi - 110001
Landline - +91-11-47046111
vijay.kumar@satramdass.com

Satram Dass B & Co. made the following annotations

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