

**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:

*Sb*

*Archana yadav*

*Shivani chawla*

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

*Chinmay*

*Rhythm*

**[CHINMAY DUBEY] & [RHYTHM KATYAL]**

Advocates for Respondent No. 78 – Ms Novacare Appliances Pvt. Ltd.  
8A, Sagar Apartments, 6-Tilak Marg,  
New Delhi-110001.  
Mob.: 9888884445

Date: 03.05.2025  
Place: New Delhi

E-mail: [siddharth.batra@satramdass.com](mailto:siddharth.batra@satramdass.com)  
Phone: 011 4704 6111

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**SHORT REPLY ON BEHALF OF THE RESPONDENT NO. 78-  
M/S NOVACARE APPLIANCES PVT. LTD.**

**MOST RESPECTFULLY SHOWETH:**

1. That the present Reply is being filed on behalf of Respondent No. 78-M/s Novacare Appliances Pvt. Ltd. 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. 78 – M/s Novacare Appliances Pvt. Ltd.

8A, Sagar Apartments, 6-Tilak Marg,

New Delhi-110001.

Mob.: 9888884445

Date: 03.05.2025

E-mail: [siddharth.batra@satramdass.com](mailto:siddharth.batra@satramdass.com)

Place: New Delhi

Phone: 011 4704 6111

**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

**AFFIDAVIT**

I, Kailash Chandra S/o Late Shri Jivanand Upadhyay, aged about 52 years R/o House No. 654, Gali No. 29 tomer Colony, **Burari New Delhi**, do hereby solemnly affirm and stat as under:

1. That I am the authorized signatory of Respondent No. 78, M/s Novacare Appliances Private Limited, having its office at Plot No. 6, Sector-18, Ph-III, HSIIDC Indl Area, Barhi, Distt. Sonapat Haryana-131101, 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.



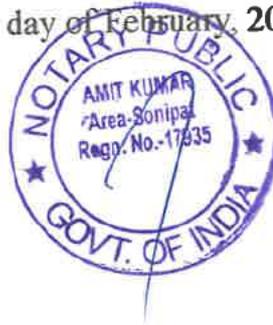


DEPONENT

**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 barhi on this 20<sup>th</sup> day of February, 2025.



DEPONENT

**ATTESTED****NOTARY**  
**Distt. Sonipat**

**VAKALATNAMA****BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL BENCH, NEW DELHI****ORIGINAL APPLICATION NO. 622 OF 2024****IN RE:-****VARUN GULATI****...APPLICANT****VERSUS****STATE OF HARYANA & ORS.****...RESPONDENTS**

KNOW ALL to whom these presents shall come that I/We, undersigned the above named 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](mailto:vijay.kumar@satramdass.com)

(hereinafter called the advocate/s) to be my/our Advocate in the above noted case and authorize 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, 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 subject to payment of 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 monthly 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 any other Legal Practitioner authorizing 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 the 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 proposes. 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 the 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 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 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 subjected to the terms of the fees.

NOVACAKE APPLIANCES PVT. LTD.

**[SIDDHARTH BATRA] [ARCHNA YADAV]**

Client Director/Auth. Sign.

**[SHIVANI CHAWLA] [CHINMAY DUBEY] & [RHYTHM KATYAL]**

Advocates

**NOVACARE APPLIANCES PVT. LTD.**

Registered Office & Works: Plot No.-6, Phase-III, Sector-18, HSIIDC,  
Area, Barhi-131101, District- Sonipat, Haryana,

Industrial  
Ph.

No.+91-8529203664

Email-info@novacareappliances.com

**BOARD RESOLUTION**

Certified True Copy of the Resolution passed at the meeting of the board of Director of M/s Novacare Appliances Private Limited (9 Company) Held on 6<sup>th</sup> February, 2025 at 11.00 am at the registered office of the company situated at Plot no 6, Sector 18, Phase-III, HSIIDC Indl Area, Barhi, Distt Sonapat Haryana Inida-131101.

"RESOLVED THAT Mr. Kailash Chandra, be and is hereby authorized on behalf of Novacare Appliances Private Limited, 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. Kailash Chandra 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. Kailash Chandra in connection with the above matters be and are hereby ratified and confirmed by the Novacare Appliances Private Limited.

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."

**Certified True Copy**

**For Novacare Appliances Private Limited**

M/s NOVACARE APPLIANCES PVT. LTD.

Arun Jain

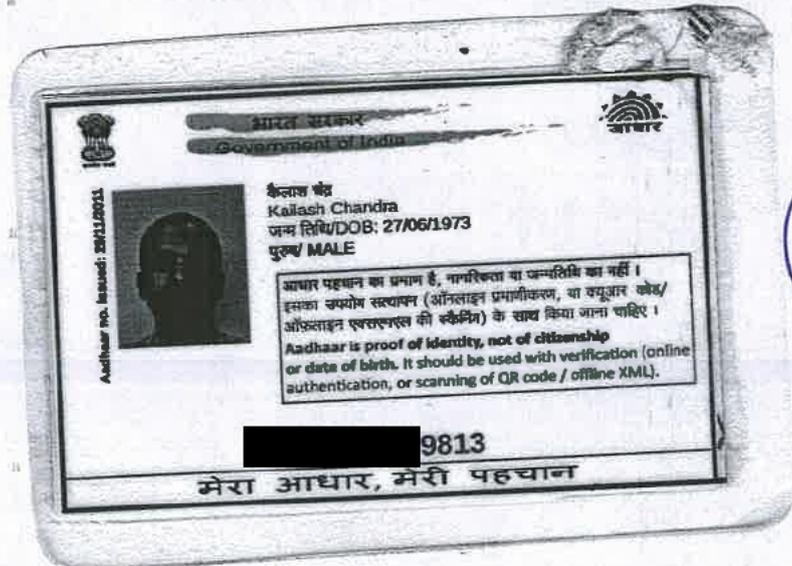
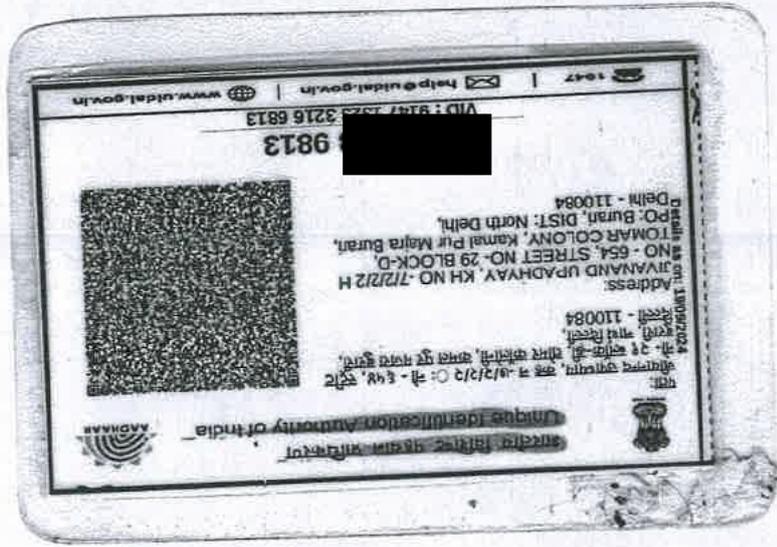
Director

DIN:08158658

R/o BP-175, Shalimar Bagh

New Delhi-110088

Director/ Auth. Sign.





Vijay Kumar &lt;vijay.kumar@satramdass.com&gt;

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**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 &lt;mansichahal104@gmail.com&gt;, Varun Gulati &lt;jansewajanhit@gmail.com&gt;

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

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 &amp; 115 - M/s Vibrant Yarns in O.A. No. 622/2024 titled as 'Varun Gulati v. State of Haryana &amp; 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](mailto:vijay.kumar@satramdass.com)

Satram Dass B &amp; Co. made the following annotations

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**12 attachments**

- Paperbook -NGT Reply -R12- Ms Krishna Process.pdf**  
1547K
- Paperbook NGT Reply -R36-Ms Global Enterprises.pdf**  
2080K
- Paperbook NGT Reply -R78-Ms Novacare Appliances Pvt. Ltd..pdf**  
1657K
- Paperbook NGT Reply -R80-Ms Smart Enterprises, Plot no 96.pdf**  
1497K

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-  **Paperbook NGT Reply -R81-Ms Smart Enterprises, Plot no 99.pdf**  
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