

BEFORE THE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****IN****Original Application No. 836/2024****IN THE MATTER OF:**

SARITA DWIVEDI

...APPLICANT

VERSUS

STATE OF UTTAR PRADESH & ORS. ...RESPONDENTS

N.D.O.H: 20.03.2026**INDEX**

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| 1. | Supplementary Affidavit on behalf of Respondent No. 6, M/S Omaxe Ltd., in compliance with the Order dated 09.02.2026 passed this Hon'ble Tribunal in Original Application No. 836/2024. | 1-9 |
| 2. | <u>ANNEXURE-1:</u> A true copy, along with a true typed and translated copy of the Letter/Communication dated | 10-11 |

977

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| | 16.03.2026 Addressed to the Municipal Commissioner | |
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Filed by



ASHWIN KUMAR NAIR

COUNSEL FOR RESPONDENT NO.6

A-11 BASEMENT LAJPAT NAGAR PHASE-3

NEW DELHI-110024

MOB:- 8826677580

PLACE: NEW DELHI

DATE 19.03.2026

BEFORE THE NATIONAL GREEN TRIBUNAL**PRINCIPAL BENCH, NEW DELHI****IN****Original Application No. 836/2024****IN THE MATTER OF:**

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N.D.O.H: 20.03.2026

SUPPLEMENTARY AFFIDAVIT ON BEHALF OF
RESPONDENT NO. 6, M/S OMAXE LTD., IN
COMPLIANCE WITH THE ORDER DATED 09.02.2026
PASSED THIS HON'BLE TRIBUNAL IN ORIGINAL
APPLICATION NO. 836/2024.

I, Digamber Dutt Sharma, S/o Late Shri Keshab Dutt, aged about 51 years, Authorised Signatory of M/s Omaxe Limited, having its Regional Office at Cyber Tower, 2nd



Floor, Vibhuti Khand, Gomti Nagar, Lucknow, do hereby solemnly affirm and state as under:

1. That I am the Authorised Signatory of Respondent No. 6 in the above-titled matter and, being well-acquainted with the facts and circumstances of the case based on the records maintained by the company, am competent to swear this affidavit.
2. That the present Supplementary Affidavit is being filed in specific compliance with the recent directions issued by this Hon'ble Tribunal vide its order dated 09.02.2026. By the said order, this Hon'ble Tribunal impleaded M/S Ramaniya Estate Developers Pvt. Ltd. as Respondent No. 8 to ensure a fair, just, and comprehensive adjudication of the environmental issues.
3. The Respondent No. 6 prefers this affidavit to reaffirm its earlier stated position regarding the geographical distribution of the five water bodies, to place on record the absolute completion of the physical restoration and ecological rejuvenation work across the ponds, and to submit the formal correspondence recently executed



with the Lucknow Municipal Corporation for the final administrative handover of these public assets.

4. That at the very outset, it is respectfully submitted that the present proceedings emanate from a letter petition alleging the purported encroachment, illegal earth-filling, and plotting of five natural water bodies/ponds situated within the precincts of the residential township known as "Omaxe City," located at Raebareli Road, Lucknow.
5. That on the basis of a letter petition, this Hon'ble Tribunal was pleased to take suo-motu cognisance of the matter to examine the environmental degradation. Consequently, this Hon'ble Tribunal broadly encompass the physical restoration and ecological rejuvenation of the aforementioned five water bodies involves five natural ponds identified by the revenue authorities as Gata/Khasra Nos. 1211 (0.019 ha), 1250 (0.076 ha), 1251 (0.025 ha), 1653 (0.038 ha), and 1681 (0.202 ha).

6. That, the development of the said township was initiated after obtaining all necessary statutory clearances and



the project was duly completed in accordance with the sanctioned plans, and the Lucknow Development Authority issued the formal Completion Certificates on 24.04.2010, many years prior to the initiation of the present proceedings. At present the Residents Welfare Association has assumed responsibility for taking over the project and maintaining the common area of the project for a considerable period of time.

7. That pursuant to the directions issued by this Hon'ble Tribunal on 29.11.2024 and 08.01.2025, a joint team of Revenue and Municipal officials conducted a physical demarcation of these land parcels on 28.12.2024 to fix the boundaries and prevent any further disturbance to the water bodies.
8. That in compliance with the Order of this Hon'ble Tribunal, the Respondent no. 6 has developed the ponds as per the directions of this Hon'ble Tribunal. That Respondent No. 6, in a proactive commitment to environmental conservation and in strict adherence to the directions of this Hon'ble Tribunal, undertook the

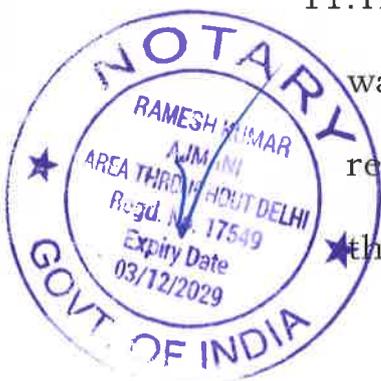


monumental task of restoring, reviving, and rejuvenating all identified water bodies to ensure ecological balance within the township.

9. That the deponent refers to the Supplementary Affidavit dated 24.04.2025, wherein it was first placed on record that the physical restoration of the ponds had commenced, involving the clearing of encroachments, desilting, and the reconstruction of embankments to restore the natural contours of the water bodies.

10. That Respondent No. 6 further refers to the Supplementary Affidavit filed on 03.07.2025, which provided comprehensive photographic evidence and geo-tagged images demonstrating that the ponds had been successfully water-filled and restored to a functional state, fulfilling the core mandate of the restoration plan.

11. That it is pertinent to mention that the restoration work was carried out under the constant supervision of the revenue team and the Lucknow Municipal Corporation, the Respondent No. 4 herein, ensuring that the markers



and boundary pillars installed on 28.12.2024 were respected and preserved to prevent any future illegal occupancy.

12. That upon a careful perusal of the earlier records, affidavits, and pleadings filed by the respective civic authorities in the present matter, the Respondent No. 6 notes that the Nagar Nigam Lucknow has claimed absolute jurisdiction and ownership over the property comprising these ponds.

13. That subsequently, the Respondent No. 6 has formally addressed a communication to the Municipal Commissioner, Lucknow, dated 16.03.2026, explicitly stating that these natural ponds were never the private property of the company but have always remained the assets of the Revenue Department and the Municipal Corporation.

A true copy, along with a true typed and translated copy of the Letter/Communication dated 16.03.2026

addressed to the Municipal Commissioner, is annexed

herewith and marked as **ANNEXURE -1.**



14. That regarding the Nagar Nigam's rightful claim over the said property, the Respondent No. 6 assures this Hon'ble Tribunal of its unconditional and immediate cooperation. Should the Nagar Nigam Lucknow, the District Administration, or this Hon'ble Tribunal require the execution of any formal documents or the completion of any other procedural and legal formalities to solidify the Nagar Nigam's absolute possession over the ponds, the Respondent No. 6 is completely ready and willing to fulfill those requirements instantly to ensure a seamless transition of the asset.

15. That to substantiate the claim of successful rejuvenation, Respondent No. 6 hereby furnishes the latest set of geo-tagged photographs of the ponds, which clearly show that the water bodies are thriving, free from encroachments, and have been integrated into the green landscape of the township.



16. That it is humbly submitted that Respondent No. 6 has acted with due diligence and transparency, having discharged its responsibilities toward the ponds despite the project having received its completion certificates as far back as 24.04.2010.

17. That in view of the above, Respondent No. 6 prays that its compliance be taken on record and it be discharged from further liability regarding the maintenance of these public assets.

18. That the contents of the accompanying letter to the Nagar Nigam dated 16.03.2026 be read as part and parcel of this affidavit to verify the facts regarding the ownership and the handover process of the ponds.

19. That this affidavit is filed in good faith and in the interest of justice, and nothing material has been concealed therefrom.



For OMAXE LIMITED

[Signature]
Authorized Signatory

DEPONENT

VERIFICATION:

I, the deponent above-named, do hereby solemnly state and verify that the contents of paragraphs 1 to ____ are true and correct to my knowledge based on the records of the case, and no part of it is false, and nothing material has been concealed therefrom.

Verified at _____ on this _____ day of March, 2026.

19 MAR 2026

For OMAXE LIMITED

[Signature]
Authorized Signatory

DEPONENT



CERTIFIED THAT THE DEPONENT:
Shri/Smt./Km. *Arigambar Dutt*
S/o, W/o, D/o
R/o
Identified By Sh. *Ashtwin K. Nay*
has solemnly affirmed before me at Delhi
on *19/3/26* St. No. *17A*
that the contents of the affidavit which
have been read & explained to him are
true and correct to his knowledge.

Notary Public Delhi (INDIA)
[Signature]

I Identified the Deponent who has Signed in my Presence.

19 MAR 2026

दिनांक: 16 / 03 / 2026

सेवा में,

श्रीमान नगर आयुक्त,
नगर निगम, लखनऊ,
उत्तर प्रदेश।

विषय: मा0 राष्ट्रीय हरित अधिकरण के समक्ष योजित मूल आवेदन संख्या ओ0ए0 836 / 2024 सरिता द्विप्रेदी बनाम स्टेट ऑफ यू.पी. व अन्य के सम्बन्ध में।

महोदय,

अवगत कराना है कि मा0 राष्ट्रीय हरित अधिकरण के समक्ष लम्बित उपरोक्त वाद में मा0 न्यायालय में पारित आदेशों के क्रम में योजना के अन्तर्गत खसरा संख्या 1211, 1250 एवं 1251 में स्थित तालाबों के पुनर्स्थापना का कार्य नगर निगम लखनऊ के देख-रेख में पूर्ण किया जा चुका है तथा इस सम्बन्ध में आवश्यक शपथ पत्र मा0 न्यायालय के समक्ष योजित किया जा चुका है। इस सम्बन्ध में अग्रतर अवगत कराना है कि उपरोक्त तालाब कभी भी कम्पनी की सम्पत्ति नहीं रहे है तथा शुरू से ही उक्त खसरे एवं उन पर स्थित तालाब पहले राजस्व विभाग तथा नगर निगम सीमा क्षेत्र के अन्तर्गत आने के पश्चात नगर निगम लखनऊ की परिसम्पत्तियाँ है। उक्त खसरा नम्बर कम्पनी को कभी भी हस्तान्तरित नहीं किये गये, यद्यपि की मा0 न्यायालय के आदेशों के क्रम में नगर निगम लखनऊ के अधीन एवं लखनऊ नगर निगम की देख-रेख में पुनर्स्थापना का कार्य किया गया है किन्तु तालाबों की उपरोक्त भूमि के हस्तान्तरण के सम्बन्ध में किसी प्रकार की अन्य कार्यवाही की आवश्यकता हो, तो कृपया अधोहस्ताक्षरी को निर्देशित करने की कृपा करें जिससे की इस सम्बन्ध में आवश्यक अभिलेखीय कार्यवाही पूर्ण की जा सकें। इस सम्बन्ध में यह अवगत कराना भी महत्वपूर्ण है कि ओमेक्स सिटी योजना का विधिवत हस्तान्तरण लखनऊ नगर निगम को पूर्व में ही किया जा चुका है।

महोदय को अग्रतर निर्देशों हेतु सादर प्रेषित।

धन्यवाद।

द्वारा ओमेक्स लिमिटेड

अधिकृत हस्ताक्षरी

"This is to inform that please make all correspondence with us on our Zonal Office Address only,,

OMAXE LIMITED**Zonal Office :** CYBER TOWER, IIInd Floor, TC-34/V2, Vibhuti Khand, Gomti Nagar, Lucknow, Uttar Pradesh- 226010.

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Omaxe

Turning Dreams Into Reality

Dated 16.03.2026

To

The Municipal Commissioner

Lucknow, Uttar Pradesh.

Subject: In respect of Original Application No. OA 836/2024 Sarita Dwivedi vs State of U.P. and others filed before the Hon'ble National Green Tribunal.

Sir,

It is to inform that in the above case pending before the Hon'ble National Green Tribunal, in accordance with the orders passed in the Hon'ble Court, the work of restoration of ponds situated in Khasra No. 1211, 1250 and 1251 under the scheme has been completed under the supervision of Lucknow Municipal Corporation and a necessary affidavit in this regard has been filed before the Hon'ble Court. In this regard, it is further informed that the above ponds have never been the property of the company and from the very beginning, the said Khasra and the ponds situated on them have been the assets of Lucknow Municipal Corporation, first under the Revenue Department and later under the Municipal Corporation boundary area. The above-mentioned Khasra numbers were never transferred to the company, although the restoration work has been done under the supervision of Lucknow Municipal Corporation and under the orders of the Hon'ble Court. However, if any further action is required regarding the transfer of the above-mentioned pond land, please instruct the undersigned so that the necessary documentation can be completed in this regard. In this regard, it is also important to inform that the Omaxe City Scheme has already been duly transferred to Lucknow Municipal Corporation.

Respectfully sent to you for further instructions.

Thanks

By Omaxe Limited

Sd/-