

To

Date: 24th Jan 2026

The Hon'ble National Green Tribunal,

New Delhi

Subject: Written submission by the applicant in 'Misc Application of Disposed of Cases No. 130/2024' in OA No. No. 9/2023

Respected Sir,

This is w.r.t. the O.A. No. 09/2023 filed by undersigned as applicant on 31/12/2022 against Dr. Umesh Verma, owner of H.No. 4050, Sector-C-4, Vasant Kunj, Delhi – 110070.

The background of the matter is as follows:

1. The applicant had specifically mentioned in his application before the Hon'ble NGT as in OA No. 9/2023, that it came to his notice that certain ground floor flats in Sector C-4, Vasant Kunj had original planters.

The pictures of three such original planters in front of H.Nos. 4045, 4042 and 4028 were attached along with the application in support of the claim of original planters.

The claim in the application was on the basis of personal observations arising out of actual status on ground and information from some old residents.

However, the similar area under his flat, lay encroached by the occupiers of the ground floor flat no 4050. The picture of the encroached planter area, in front of the flat no 4050, was also annexed with the original application in OA No. 9/2023. The platform of the planter was missing, area concretised and the same was encroached by enclosing the same, by building of a boundary wall on the government land.

2. The Hon'ble NGT admitted the complaint as O.A. No. 09/2023 and first date of hearing was 17/01/2023 and the case continued till it was finally disposed off with the judgement pronounced on 05/07/2024.
3. A Counter affidavit/reply filed under the signatures of R. No. 2 - Ms. Sudha Varma dated 15/02/2023, was taken on record by the Hon'ble NGT. The affidavit falsely contended that R. No. 1 – Dr. Umesh Varma has nothing to do with the case and that the House No 4050, Sector C-4 Vasant Kunj, was allotted to R. No. 2 – Ms. Sudha Verma.

The Conveyance Deed of the Flat No 4050, Sector C-4, Vasant Kunj dated 03/12/2001 (Registered on 16/01/2002, vide registration no. 19794, In Addl. Book No. 1, Volume No. 702, On pages 198-199 by Sub Registrar VII New Delhi) clearly records the owner as Dr Umesh Chandra Varma i.e. the respondent No. 1. Copy of the same is attached herewith with as **“Annexure-A”**.

Respondent No. 1 i.e. Dr. Umesh Varma owner of H.No. 4050, Sector C-4, Vasant Kunj never appeared before this Hon’ble NGT, nor filed any response till date.

4. The counter affidavit/reply dated 15/02/2023, falsely contended that the respondents no. 2 -Ms. Sudha Verma found the flat no. 4050 sector C-4, Vasant Kunj, New Delhi in the then existing condition (i.e. with planter removed, area encroached and enclosed with a boundary wall).

The layout plan submitted by **MCD on 5/12/2025 before the Hon’ble NGT (Annexure B, NGT File Page No. 72)** confirms the boundary of the flat no. 4050 and places on record, beyond doubt, that the respondent had indeed encroached on the public/Government land much beyond the boundary of their flat.

Thus, a false submission on oath is evident in the Counter affidavit/reply by R. No. 2- Ms. Sudha Verma.

5. The claim of the R.No. 2- Ms. Sudha Verma, in her counter affidavit/reply, about the unauthorized construction by the applicant is **also false and is specifically denied**.

Further, this issue attempted by the respondent no. 2 does not fall within the jurisdiction of the Hon’ble NGT, as also held by the Hon’ble NGT in its judgement pronounced on 05/07/2024 in OA No. 09/2023.

6. The applicant appeared in person for physical hearing on 20/02/2023 before the Hon’ble NGT.

A third person, Ms. Savitri Varma was allowed by Hon’ble Court to speak on the matter, who publically humiliated the applicant and casted aspersions on his wife as well, to misguide and divert the attention of Hon’ble NGT from the issue of the OA 09/2023.

The Hon’ble NGT too raised verbal questions, during the proceedings, which were beyond the plea of the applicant. The applicant felt humiliated. The applicant was appearing physically for the first time in any Hon’ble court/tribunal in his life.

7. The applicant vide e-mail dtd. 07/08/2023 requested for dropping impleadment of Respondent No. 2 - Ms. Sudha Verma as it was confirmed by then that R.No. 1- Dr. Umesh Chandra Varma S/o Sh. Prakash Narian Varma is the Owner/Allottee. However, the Respondent No. 2 has not been dropped from the proceedings till date. E-mail dated 07/08/2023 by applicant is attached herewith as **“Annexure-B”** for ready reference.

8. While the counsel of the Respondent no. 2 was misguiding the court during the arguments on 13/02/2024, the applicant (who had joined via VC from his house) sought the permission from the Hon,ble NGT to allow him to show the ground situation ‘live’.

After seeing the ‘live’ situation of existing original planters in front of ground floor flat nos. 4042 and 4045, the counsel for the respondents withdrew his contentions and the Hon’ble NGT reserved its orders.

9. The Respondent No. 2 – Ms. Sudha Varma passed away on 14/02/2024.

10. Respondent No. 1- Dr. Umesh Chandra Varma, erstwhile employee of MCD, peacefully lives in USA.

He had lived in India at his allotted Flat No 4050, Sector C-4, Vasant Kunj for many months together in year 2024 without bothering to file a response in the case. Nor has Hon’ble NGT enforced his attendance either physical or on-line, till date.

It is also to be mentioned that Dr. Umesh Chandra Varma again tried to encroach the planter area sometime in March/April 2024. When objected by the applicant, he left the area open towards the planter and did not build the boundary wall at its original location; which shows their intention to encroach again in future.

11. The applicant had mentioned in the OA 09/2023 that his complaint against the encroachment by owner/occupiers of H.No. 4050, Sector C, Pocket-4 is already pending with MCD.

In pursuance to the complaint of the applicant to MCD dated 28/12/2022, the encroachment removal action was taken by MCD on 05/12/2023 alongwith 8 other houses in encroachment removal drive in Sector C-4, Vasant Kunj.

12. It is to be noted that MCD undertook encroachment removal in Flat No 4050, along with 8 other flats in Sector C-4, Vasant Kunj on 05/12/2023. By this time, **no relief was provided by the Hon'ble NGT to the applicant in the referred OA 09/2023.**
13. Being satisfied with the action of the MCD, the applicant filed for the withdrawal of the OA No. 09/2023 from the Hon'ble NGT vide IA No. 881/2023 as the prayer of the applicant before the Hon'ble NGT was largely addressed and that the application had become infructuous.
14. The Hon'ble NGT rejected the prayer of the applicant, seeking withdrawal of the case, citing its observations in OA No. 134/2022 & OA No. 267/2022 that *consistent with its statutory obligations under the NGT Act 2010, the Tribunal has to respond to the duly verified factual position in cases raising substantial questions relating to environment with requisite remedial/ameliorative measures for protection of environment and that this tribunal cannot take refuge of any technical dispensation by dismissal of OA as withdrawn.*

Thus, the IA No. 881/2023 filed by the petitioner in OA No. 09/2023 for permission to withdraw the OA was dismissed and judgement was reserved after arguments on 13/02/2024 & pronounced on 05/07/2024.

15. In its judgement dated 05/07/2024, the Hon'ble NGT had noted that the applicant has not produced copy of original layout of DDA SFS Category III Flats in supporting his claim but **the replies of Respondents No. 2 - Ms. Sudha Varma and R. No. 3 - DDA & R. No. 4 - MCD had not specifically denied the said assertion.**

The Hon'ble NGT had pronounced that *the non-production of this relevant record is inconsequential in view of the **settled proposition of the law that absence of specific denial amounts to admission** and that this tribunal can validly proceed on the basis of the implied admission that the Original layout of SFS category III flats makes provisions of green planter area in front and back thereof.*

The Hon'ble NGT has noted that the claim of the applicant was indeed supported by photographs of some of the existing original planters in Sector C-4 Vasant Kunj, as attached with the application.

16. The Hon'ble NGT has also observed in its order pronounced on 05/07/2024 that in the application, the applicant had alleged encroachment of green planter area and

sought restoration thereof and further that, as per status report filed in the case, MCD has carried out drive for removal of encroachments but planter has not been restored by carrying out the plantation.

17. The O.A. 09/2023 was thus disposed off by the Hon'ble NGT with the direction to MCD to take requisite remedial action for restoration of planter area by carrying out plantation of suitable species of plant / trees within 2 months/during monsoon season.

18. M.A. in disposed off case No. 130/2024 in OA No. 09/2023 is reported to have been initiated by Hon'ble NGT suo motto in view of its office report with regard to non-submission of compliance report by MCD pursuant to Tribunal's judgement dated 05/07/2024 in O.A. No. 09/2023.

19. Vide its order dated 05/12/2024 in MA No. 130/2024 in disposed off case in OA No. 09/2023, one more opportunity was given by the Hon'ble NGT to MCD to submit a report as per judgment dated 05/07/2024, within 3 weeks.

20. A Compliance Report was filed by MCD on 03/01/2025. However, the said report was not placed on record by the registry on the date of hearing i.e. 10/01/2025.

The Hon'ble NGT directed the registry to verify the factual position and place the same on record. However, without the existing report available on record for the perusal of the Hon'ble NGT and its observations on the deficiencies in the Report, if any, the counsel for MCD sought time to file additional Report by MCD with details regarding layout of flats, measurements of planter area, nature of plantation required to be carried out etc. The same was desired to be filed at least 3 days before the next date of hearing i.e. 05/03/2025.

21. Additional (second) Compliance Report dated 04/03/2025 was reportedly filed on behalf of MCD, before the Hon'ble NGT and after a couple of postponements/hearings, the case was listed for further hearing on 03/11/2025.

22. On 03/11/2025, the counsel for MCD again sought time to file yet another additional Compliance/status report by the way of affidavit giving all requisite details alongwith DDA approved layout.

No observations of the Honorable NGT w.r.t. sufficiency or otherwise of the Compliance Report filed by MCD, are on record.

23. Additional (third) Compliance/ Status Report dated 05/12/2025 was filed by MCD. The counsel for MCD again sought time for filing additional affidavit.

Vide its order dated 08/12/2025, the Hon'ble Tribunal sought additional affidavit within a month specifically mentioning activities permissible/impermissible with reference to grievances raised in OA 09/2023 and the aspects highlighted before the Tribunal.

In this regard the following additional submission on behalf of applicant may also be referred and requested to be taken on record:

1. The applicant is satisfied with the order of NGT dated 05/07/2024 and its Compliance by MCD. Therefore, the MA 130/2024 may be disposed off as no further cause of action remains.
2. The applicant is also satisfied on the restoration of the planter by MCD as per the Hon'ble NGT judgement and it is exactly the mirror image of the original planter in front of the house on the opposite side i.e. 4045.

The actual ground situation is illustrated by the way of photograph attached as **"Annexure-C"**.

3. The complaint of the applicant before the Hon'ble NGT was limited to the wrongdoing by the owner/occupier of flat no. 4050 and the same has been redressed. No further cause of action remains.
4. Respondent No. 1 and 2, i.e. the owners/allottees of House No. 4050, have not preferred any appeal against the judgment of the Hon'ble NGT pronounced on 05/07/2024, as they know it very well that they had demolished the planters and encroached upon the Government land.
5. It is unrelated to the present case, however, it's important to mention that the applicant is a reputed engineer and is relentlessly working from last 25 years in Automotive Industry in the field of 'Vehicular Emissions reduction' by working on cleaner fuel technologies such as CNG and Hydrogen.

In my journey so far, I have done more than 100 projects in supporting OEMs to meet Bharat Stage Emissions Norms, Alternate cleaner fuel technologies, Advance technologies such as Electric Vehicles (EVs) and HEVs for the betterment of the environment.

In Sector C-4, DDA park also, the applicant helped RWA in arranging plantation of 125 trees in the year 2024.

I also volunteered in multiple CSR initiatives of my previous employer for planation of trees and restoration of forest through an NGO at Aravali bio-diversity area in Gurgaon-Haryana.

6. The continuation of this case, despite the redressal of the grievance and the request (dtd. 19/12/2023) of the applicant for the withdrawal of the OA 09/2023, is nothing but wastage of precious time and resources of the Hon'ble NGT, MCD, DDA and the applicant.

In case Hon'ble NGT desires to exercise its powers beyond its jurisdiction i.e. permissible/impermissible activities not involving any question relating to environment arising out of implementation of the Acts mentioned in Schedule 1 of the National Green Tribunal Act, 2010, then it is humbly requested the objection of the applicant may be taken on record. It is causing undue harassment and loss of reputation to the applicant.

I am a law-abiding citizen and the complaints filed by the R. No. 2 – Ms. Sudha Verma (Now deceased) alleging unauthorized construction by the applicant, have been examined by the authorities concerned and filed, on account of them being found false and malicious.

It is humbly prayed to the Hon'ble NGT to dispose off the MA No. 130/2024 and prevent further hardship accrued to the applicant so far, for approaching the Hon'ble NGT for a genuine grievance related to Environment.

Yours sincerely,



Bharat Sehrawat (Mobile: 99100 58633)

Address: H.No. 4052, Sector: C-4, Vasant Kunj, New Delhi-110070

ANNEXURE - A

81

Stamp Paper No.:-IN-DL15971999880098V

CERTIFIED/TRUE COPY

Registration No. 19794 In Addl. Book No. 1 Volume No. 702 On
Pages 198-199 On This Date 16-01-2002 Day Of Wednesday

Sub Registrar VII
New Delhi

Date Of Application 20-12-2023
Calculated Fee 20
Fee Paid Rs. 20 Vide Slip No. 272,662
Date Of Payment 20-12-2023
Date when Copy Is Ready 20-12-2023
Copy prepared By: RONIT
Copy Checked By: MAHENDER SINGH
Certified to be true copy CONVEYANCE



A
Record Keeper
RONIT

Reader
MAHENDER SINGH

M
Sub Registrar VII
New Delhi

TRUE COPY

825784

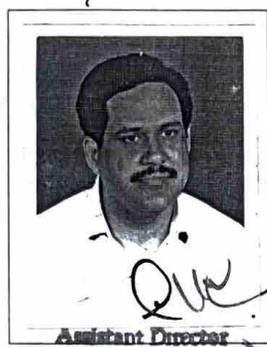
2405/000/288200

Serial No. 12
Stamp Duty
Rega. Fee
Date & Signature
with full name and registration.

DELHI DEVELOPMENT AUTHORITY

Conveyance Deed

ALLOTTEE UNREGISTERED
Vikas Sadan New Delhi



Assistant Director
Lease Admn. (Housing)

This conveyance made on this

03 DEC 2001

ALLOTTEE

between President of India, hereinafter called "The Vendor" (which expression shall unless excluded by or repugnant to the context be deemed to include his successors in office and assigns) of the one part and Sh./Smt. LIMESH CHANDRA VARMA son/daughter/wife/widow of Sh. PRAKASH NARAIN VARMA R/o. C-4/4050 VASANT KUNJ NEW DELHI hereinafter called "the Purchaser" (which expression shall unless excluded by or repugant to the context be deemed to include his/her heirs, administrators, representative and permitted assigns) of the other part.

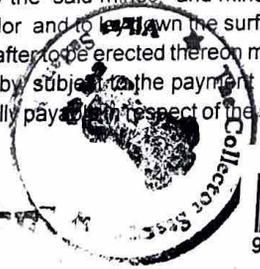
WHEREAS vide letter allotment No. 126(423) 80/SFS/VK/III dt. 20.12.91 issued by Delhi Developmet Authority, flat No. 4050 Block No. POCKET - 4 Sector No. C situated in VASANT KUNJ was allotted to the purchaser subject to limitation, terms & conditions mentioned therein.

AND WHEREAS representing that the said allotment is still valid and subsisting, the said purchaser has applied to the Vendor to purchase free hold ownership rights in the said demised property allotment to him and physical possession handed over to him and the Vendor has agreed to convey free hold ownership rights of the said demised property subject to terms and conditions appearing hereinafter.

NOW THIS INDENTURE WITNESSES THAT in consideraton of the sum of Rs. 44,2400/- Rupees Four Lacs Forty two thousand four hundred only paid at the time of allotment and Rs. 20,000/- Rupees Twenty thousand only paid before the execution hereof (the receipt where of the Vendor hereby admits and acknowledges), the aforesaid representation and subject to limitation mentioned hereinafter, the Vendor doth hereby grants, conveys, sells, releases and transfers, assigns and assures unto the aforesaid purchaser free hold ownership, rights in the said Flat No. 4050 Block No. POCKET - 4 Sector C situated in VASANT KUNJ hereinafter referred to as the said property, more fully described in the Schedule hereunder together with all remainder, rents issues and profits thereof to have and to hold the same unto the purchaser absolutely and forever, SUBJECT to the exceptions, reservations, covenants and conditions hereinafter contained that is to say, as follows:

1. The Vendor excepts and reserves unto himself all mines and minerals of whatever nature lying in or under the said property together with full liberty at all times for the Vendor, its agents and workmen, to enter upon all or any part of the property to search for, win, make merchantable and carry away the said mines, and minerals under or upon the said property or any adjoining lands of the Vendor and to ~~erect~~ erect on the surface of all or any part of the said property and any buildings under or hereafter to be erected thereon making fair compensation to the purchaser for damage done in this behalf, thereby subject to the payment of land revenue or other imposition payable or which may become lawfully payable in respect of the said property and to public rights or easements existing the same.

has been deposited vide Bond Challan/ Receipt No. 2001/126(423) 80/SFS/VK/III



Collector of Stamps
Vikas Sadan, New Delhi

2. That notwithstanding execution of this deed, use of the property in contravention of the provisions of Master Plan/Zonal Development Plan/Lay-out plan shall not be deemed to have been condoned in any manner and Delhi Development Authority shall be entitled to take appropriate action for contravention of Section-14 of Delhi Development Act or any other law for the time being in-force.

3. The Purchaser shall comply with the building, drainage and other bye-laws of the appropriate Municipal or other authorities for the time being in force.

4. If it is discovered at any stage that this deed has been obtained by suppressions of any fact or by any mis-statement, mis-representation or fraud, than this deed shall become void at the option of the vendor, which shall have the right to cancel this deed and forfeit the consideration paid by the purchaser. The decision of the vendor in this regard shall be final and binding upon the purchase; and shall not be called in question in any proceedings.

It is further declared that as a result of this present purchaser from the date mentioned hereafter will become absolute owner in fee simple of the said property and the Vendor doth hereby releases the Purchaser from all liability in respect of rent reserved by and the covenants and conditions contained in the said allotment letter required to be observed by the purchaser of the said demised property.

The stamp duty and registration charges, upon this instrument shall be borne by the purchaser.

This transfer shall be deemed to have come into force with effect from the date of registration of this deed.

B. N. Chandna
Asstt. Dir LAB (H)

In witness whereof Sh/Smt.....
for and on behalf of and by the order and direction of the Vendor has hereunto set his/her hand Sh./Smt. DR. LAKESH CHAUDHARI VARMA the purchaser, has hereunto set his/her hand day and year first above written.

THE SCHEDULE ABOVE REFERRED TO

All that flat No. 4050 in Block No. PACKET-4 SECTOR C
in the layout plan of Housing Estate at VASANT VIHAR NEW DELHI Floor No. C
Category III floor.....
Signed by Shri/Smt.....



Signed by Shri/Smt. B. N. Chandna
Asstt. Dir LAB (H)

for and on behalf of and by the orders and direction of the President of India. (Vendor).

In the presence of:

(1) Shri/Smt. Pardeep Sharma
Asstt. Dir LAB (H)

Signed by Shri/Smt. DR. LAKESH CHAUDHARI VARMA

(VENDOR)
Local Adm. (Housing)
Delhi Development Authority
New Delhi

In the presence of:

(1) Shri/Smt. ASHOK KUMAR VARMA
3380-81 BANGA STREET HAUZ QAZI
DELHI-110006

(2) Shri/Smt. MISS SAVITRI VARMA
3380-81 BANGA STREET HAUZ QAZI
DELHI-110006

SILK MURSKI SMAN
C-1/104 B LORANCE ROAD
DELHI-35

ALLOTTEE

DDA/Press

Handwritten notes and signatures on the left margin, including 'Asstt. Dir LAB (H)' and 'DR. LAKESH CHAUDHARI VARMA'.

Space for Pasting the document
रक्त
के लिए
तैयार
करें

This document of C+84
Presented by DR. UMESH CHANDRA VARMA
S/o DR. P.N. VARMA
R/o C-4/4.950 VASANT KUNJ NEW DELHI-110070
Office of the Sub-Registrar,
New Delhi on this 16 day of Nov 2002
between the hours of 11:00 AM to 12:00 PM

Sub-Registrar-VII
New Delhi 16/11/2002

Execution admitted by the said
(1) Smt. DR. UMESH CHANDRA VARMA
(2) S/o DR. P.N. VARMA (Mortg/Bank)
has been identified by Smt.
S/o (Mortg Witness)
with whom it is known to me. Contents of
the document are read to the parties who
admitted the consideration and admit
the execution.

Sub-Registrar-VII
New Delhi 16/11/2002

Verified that the left or right
as the case may be hand thumb
impression of the executor has
been affixed in my presence.

Sub-Registrar-VII
New Delhi



Having satisfied myself that the document was
duly executed by Shri. SHRI B.N. CHANDNA
to his Official Capacity, his attendance & ASST DIRECTOR LAB (H)
signature are dispensed with and document is
admitted to register

Sub-Registrar-VII
New Delhi 16/11/2002

Registered No. 19794 in additional Book No.
Vol. No. on Page
on this 16 day of Nov 2002
and left thumb impression has been taken
in my presence.

Sub-Registrar-VII
New Delhi 16/11/2002

Left hand impression of the
executor has been obtained by
Signature of me

TRIPLE COPY

Umesh

Chandna

Request for personal hearing via VC Mode in OA No. 09/2023 scheduled for hearing on 09.08.2023 and update of ownership details

1 message

Bharat Sehrawat <bharatsehrawat@gmail.com>
To: judicial-ngt@gov.in

7 August 2023 at 08:17

Respected Sir,

1. This is in pursuance to the OA/9/2023 filed by the undersigned as petitioner.
2. The ownership of Flat No. 4050, Sector C-4, Vasant Kunj has now been confirmed to be with Sh. Umesh Chandra Varma S/o Sh. Prakash Narain Varma. He is the original allottee of the flat. Therefore, the onus of responsibility to respond to my complaint solely lies with him.
3. I withdraw my request for impleading Ms. Sudha Verma as it has been now confirmed that she has no locus standi in the case.
4. Requesting for personal hearing via VC Mode in OA No. 09/2023 scheduled for hearing on 09.08.2023

Case details as below:

Name: Bharat Sehrawat

Case Title: Bharat Sehrawat Vs Dr. Umesh Verma

Case Number: Original Application No. 09/2023

Date of hearing: 09.08.2023

email id: bharatsehrawat@gmail.com

Mobile No.: 99100 58633

Thanking you,

Your sincerely

Bharat Sehrawat

Mobile: +91 99100 58633

“Annexure-C”

Actual picture of the on-ground situation reconfirming that the restored planter (on the right side) is of same dimension and layout/location vis-e-vis the flat, as the original DDA planter (on the left side)



Original DDA planter in front of H.No. 4045

Restored planter in front of H. No. 4050