

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
PRINCIPAL BENCH, NEW DELHI
INTERLOCUTORY APPLICATION NO.64/2025

IN

OA No. 736 of 2018

CHANDRA SHEKHAR GUPTAAPPLICANT

VERSUS

STATE OF UTTAR PRADESHRESPONDENTS

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FILED BY:-

DELHI

DATED-26-01-2026

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PARTIES/APPLICANTS IN IA NO.64/2025

BREIF SUMMARY:-

1. Details of the aggrieved party in IA No. 64/2025

That the instant applicants are as under:-

- A. Beena Devi, W/o Sh. Prem Pal Sharma, AGED ABOUT 54 Years, R/o H. NO.241/46A, Gali No.03, Bhekha Pura Road, Multan Road, Meerut, UP-250002.
- B. Kiran Bhatia, W/o Sh. Charanjeet Bhatia, AGED ABOUT 48 Years, R/o H. NO.36, Sports Colony, Suraj Kund Road, Meerut, UP-250002.
- C. Mehar Singh, S/o Sh. Jagir Singh, AGED ABOUT 78 Years, R/o H. NO.29, Naval Vihar, Baghpat Road, Meerut, UP-250002.
- D. Vivek Bansal, S/o Sh. Rakesh Bansal, AGED ABOUT 40 Years, R/o H. NO.91, Saraswati Mandir, Nagar Nigam Suraj Kund, Meerut, UP-250001.

2. Status of the parties

- A. That the applicant no.1 is using the property as: - Beena Devi, is having 400 Sqyds of plot, having 150 Sqyds Shed and 250 is open land and using the same as godown. No industrial or polluting activity ever been going on in the premises.
- B. That the applicant no.2 is using the property as: -Kiran Bhatia, having 590 Sqyds Plot and out of that constructed a shed in approx. 410 Sqyds and the same is used as Godown and remaining 180 Sqyds is construed and having manufacturing cricket bat. No need of PCB consent.
- C. That the applicant no.3 is using the property as: - Mehar Singh is having 1335 Sqyds of plot and only constructed of two rooms in 60 Sqyds and using them as godown and remaining is open land. However, No industrial or polluting activity ever been going on in the premises.
- D. That the applicant no.4 is using the property as: - Vivek Bansal having 270 Sqyds plot. That out of this 150 Sqyds is construed and remaining 120 Sqyds is being constructed as shed and entire 270 Sqyds is used as Godown. No industrial or polluting activity ever been going on in the premises.

3. Issue

A letter was sent to the Hon'ble NGT PB regarding the illegal encroachment by the alleged applicants in this IA on Khasra No.2082 and 2085 in the area namely Sai Puram Delhi Road, Meerut, U.P. and the Hon'ble Tribunal took the cognizance of the same and an "OA No.736/2018" was registered and was finally decided vide order date 15-11-2018 as under:

Proceedings have been initiated in this matter on receipt of a letter alleging that there is encroachment on public park at Sai Puram Delhi Road, Meerut, Uttar Pradesh.

We direct District Magistrate, Meerut to look into the matter and take appropriate action in accordance with law.

The application is disposed of.

4. It is pertinent to mention here that no notice was issued to the applicants during the proceedings of OA No.736/2018 as well as the DM also did not issue any notice to applicants.
5. The stand of the complainant was that the applicants in IA have encroached the government land and are using it for industrial purposes illegally.
6. There is a **U.P. Parks, Playgrounds and Open Spaces (Preservation and Regulation) Act, 1975** enacted in the entire state of UP to classify the lands into parks, playgrounds and open spaces and Sec-2 of the Act specifically defines the parks, playgrounds and open spaces.
7. The Sai Puram area is an unauthorized colony thus, no list of parks, open area and playground has been notified by the State Government till today under the **U.P. Parks, Playgrounds and Open Spaces (Preservation and Regulation) Act, 1975** .

8. That the land in question is purely private and self-acquired land and originally it was agriculture land, then the land owners sold the land to private buyers and the original owners.
9. The people are residing in the colony prior to the year 1983 as the details of previous chain of owners are mentioned in the title documents of the land already annexed as ANNEXURE-5 (Colly) with IA 64/2025.
10. It came to the knowledge of the applicants that there are some reports filed by the authorities.
11. As per the allegations of the complainant/letter petitioner, that an encroachment has done by one Mr. Raghubir Singh @ Muneem on half portion of the park having area of 84X289 Sqft, and remaining half portion has encroached by Mehar Singh and also, the letter petitioner has relied upon site plan bearing no.61 allegedly approved by Meerut Development Authority and the Architect.
12. The MDA/revenue department or municipal corporation or the State Authorities has never sanctioned/notified any park in the area Sai Puram and the land in question was purchased by the applicants from the rightful and legal owners (sale deeds of the said properties have been duly annexed).
13. That the original applicant is chronic litigant and having tendency regularly filing the false and frivolous cases against the local residents including the present applicants. It is pertinent to mention here that because of that conduct about 7-8 FIRs have been

registered against the original applicant. The Copies of the FIRs and chargesheets filed against the original applicant are already annexed with IA 6/2025 as **ANNEXURE-1 (Colly)**.

Status of Sai Puram Colony

14. That till today no site plan has been prepared or sanctioned or demarcated any area for parks.
15. A complaint against Mr. Raghubir Singh was lodged in respect of which the Id. ADM took the cognizance and vide order dated 28.01.2002 held that map no.61 30.12.1982 to 29.12.1983 submitted by the Complainant is not reliable as there is no signature of Secretary or Architect. Further, the map was neither sanctioned nor attested by any officer. The ADM decided that the Complainant failed to prove that the disputed land is public land and sanctioned as park.
16. It is worthwhile to mention here that the Saipuram Industries Association has sent letters to different departments against the harassment caused by Mr. Chandra Shekhar Gupta and various FIRs dated such as 18.09.2017 in which vide final report form dated 30.11.2017, the IO has found enough evidence against him, Complaint dated 12.10.2021 was filed by an officer of MDA, Mr. Sailendra Yadav (Assistant Engineer) against Mr. Chandrashekhar Gupta under section 353, 405 and 406 of IPC for misbehaving with the public servant and criminal intimidation. The IO conducted investigation and filed its Final Report on 05.04.2021. As per investigation the, IO found sufficient evidence against Chandrashekhar Gupta and submitted the report before ACJM. The

matter is pending before ACJM. **(The copies of the FIRs have been duly annexed).**

17. It is also pertinent mention here that Mr. Chandrashekhar on 24.02.2021 lodged a complaint against some of the factory owner for theft of electricity. That on 25-02-2021 the Assistant Engineer, Mr. Rakesh Kumar wrote a letter to Mr. Chandrashekhar Gupta for false complaint filed by him, on complaint, the concern officer investigated the matter and found that the complaint was false.

18. The Sai Puram Colony is developed on a private land which is a self-acquired property after getting the sale deed registered before the registrar also it is an unauthorized colony as per government records.

19. Till today **no site plan** of the colony namely Sai Puram has been prepared or approved by the Government authority. Therefore, the colony Sai Puram is unplanned locality/colony.

20. That the applicants herein have purchased the land from lawful owners, and the land was sold as residential cum industrial nature to the applicants. It is pertinent to mention here that more than 60% area of the colony has been used as commercial/industrial cum residential activities, and more particularly the properties have been used as place of storage and trading of non-polluting goods/activity.

21. The MDA has also filed its report dated 27-09-2024 in MA No.61/2023 in OA no.736/2018, there are copies of number of sale

deeds attached, and in those sales Deeds the land was sold as industrial cum residential use of the properties and the registrar of documents has also registered the documents as sale deed for industrial cum residential property. **(The copies of various sale deeds of properties wherein the properties in showing that there is no park and are being sold as industrial cum residential has been duly annexed.)**

22. That the MDA has also filed another latest reply affidavit vide dated 31-12-2024, and in that reply affidavit the findings of the MDA that complaint of the applicant/complainant of the present case is based on the false and fabricated site plan and which does not support by any Government record to establish its legal sanctity in the eyes of law.

23. It is submitted that in view of the master plan 2021-2031, the applicants have preferred an appeal against the demolition order of the DM. The above-mentioned master plan permits the industrial activities in the residential areas which have been already running. The relevant entry of the master plan is as under: -

10.4.8 (3) is as under: -

जो औद्योगिक इकाइयां शहर के विभिन्न क्षेत्रों में औद्योगिक रूप में स्थापित है और स्थलों का भूमि उपयोग मेरठ मास्टर प्लान में आवासीय या अन्य कर दिया गया है वे इकाई या काम करती रहेंगी लेकिन भूमि उपयोग की पुष्टि ना होने के कारण आगे विस्तार गतिविधियों की अनुमति नहीं दी जाएगी। केवल प्रशासनिक कार्यालय विपणन पार्किंग लोडिंग एवं अनलोडिंग की सुविधाओं के लिए औद्योगिक भूमि उपयोग में अनुमन्य सीमा तक विस्तार की अनुमति होगी।

(Copy of relevant pages of master plan 2021-2031 has already been annexed with the IA 64/2025.

24.It is submitted that the applicant is a chronic litigant and various other FIRs have been filed against him for offences like extortion, filing fabricated and frivolous complaints and documents.

25.It also the case of the applicants that the industrial/commercial activities carried out by the applicants are purely white category and does not need any specific license/permit from the government.

PRAYER

In view of the above facts and circumstances it is therefore, humbly prayed that the Hon'ble Tribunal may kindly be pleased to dismiss the MA 61/2023 being based on false frivolous allegations in the interest of justice,

Or pass any other further order as this Hon'ble Tribunal may deems fit and proper, in the interest of justice.

Filed By:-



DELHI

DATED-26-01-2026

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