

Item No. 04

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL PRINCIPAL  
BENCH, NEW DELHI**

Original Application No. 1387/2024

Kishori Lal

Applicant

Versus

Govt. of National Capital Territory  
of Delhi & Ors.

Respondent(s)

Date of hearing: 02.01.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON  
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Tarun Cummra, Adv.

**ORDER**

1. In this original application, the plea of the Applicant is that in the year 2005, 125 bigha of Gram Sabha land in Village Kharkhari Jatmal, Post Office Khaira, Najafgarh, Delhi was allocated to the Forest Department for afforestation and this allocation was approved by the Hon'ble Lieutenant Governor to mitigate pollution, enhance green cover and contribute to environmental protection. The Applicant alleges that this land allotted for afforestation has been misused. It has been encroached upon by the land mafia and illegal construction and unauthorised agricultural activities are going on. There is a further allegation that the demarcation of the land is still incomplete, and there is illegal extraction and sale of groundwater from this area. The Applicant in the OA has given the details of unauthorised and illegal activities in the said forest area as follows:

***“Details of Encroached Khasra Numbers Khasra No. 8/18:***

- *Half of this land is illegally cultivated by land mafias.*
- *An unauthorized tube well has been installed, drawing water for illegal irrigation and sale, violating water conservation laws.*
- *Despite repeated complaints, the Forest Department has failed to remove the encroachment.*

***Khasra No. 15/2 (30 feet):***

- *Entirely under illegal cultivation.*
- *No trees have been planted, and the absence of a boundary wall has led to persistent encroachments.*

***Khasra Nos. 15/3 and 15/8:***

- *Unauthorized residential and commercial structures have been constructed on these plots.*
- *Encroachers have erected permanent dwellings, violating the Forest (Conservation) Act, 1980.*

***Khasra No. 19/2:***

- *Previously planted trees were uprooted by encroachers.*
- *The land is now used for illegal animal husbandry, with cattle rearing facilities established on the plot.*

***Khasra Nos. 4/5, 12, 13, 14, 15, 17, 18, and 19:***

- *Trees were planted on 08.02.2018 as part of an afforestation drive.*
- *None of the trees survive today, either due to uprooting, by encroachers or neglect by the Forest Department.”*

2. Issue notice to the respondents for filing their response/reply by way of affidavit before the Tribunal at least one week before the next date of hearing through e-filing. If any respondent directly files the reply without routing it through his advocate, then the said respondent will remain virtually present to assist the Tribunal. The Applicant is directed to serve the respondents and file affidavit of service atleast one week before the next date of hearing.

3. List on 22.04.2025.

Prakash Shrivastava, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

January 02, 2025  
Original Application No. 1387/2024 dv..