

Item No.5

Court No. 2

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

(Through Physical Hearing with Hybrid VC Option)

Original Application No.428/2023

S. C. Kaushal

Applicant

Versus

State of Punjab & Ors.

Respondents

Date of hearing: 18.03.2024

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER.  
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER.**

Applicant: None for the applicant.

Respondents: Mr. Shashwat Roy Advocate for Respondent No. 4  
DDPO Kapurthala.  
Mr. Vishwa Nath Kumar, Mr. Shantani Parashar, Ms.  
Divita Vyas and Ms. Apoorva Pandey, Advocates for  
Respondent 6-Lord Krishna College.

**Application is registered based on a letter petition received by Post**

**ORDER**

1. Vide order dated 24.01.2024 the Deputy Commissioner, Kapurthala and DDPO Kapurthala were directed to file copies of relevant revenue record for all the relevant years since when encroachments were alleged to have been made, eviction petitions filed against respondent no. 6 and Mann Singh and orders passed on the same and personal appearance of the Deputy Commissioner, Kapurthala and the DDPO, Kapurthala physically or through VC was ordered.
2. In compliance thereof report has been filed by the Deputy Commissioner, Kapurthala vide email dated 23.02.2024 and Mr. Amit

Kumar, Panchal, Deputy Commissioner, Kapurthala has appeared through VC.

3. No report has been filed by DDPO, Kapurthala and Copy of transfer order regarding Mr. Harjinder Singh Sandhu, who was having charge of DDPO, Kapurthala has been filed.

4. In report filed by the Deputy Commissioner, Kapurthala it has not been mentioned that as to who was in actual possession of land in question after the year 2011 and 2012 till June 2023.

5. Further, copies of the documents in vernacular have been filed with the report filed by the Deputy Commissioner, Kapurthala.

6. The Deputy Commissioner, Kapurthala is directed to file additional report giving requisite information as to who was in actual possession of land in question after the year 2011 and 2012 till June 2023 alongwith copies of the revenue record, eviction petition and orders passed duly translated in English language.

7. Respondent no. 6-the Manager, Lord Krishna College and Mr. Mann Singh are also directed to file affidavits, within one months by email at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF, as to whether Lord Krishna College and/or Mr. Maan Singh were in possession of any part of Gram Panchayat land in question during the period 2011 - June 2023 on any part thereof.

8. List on 10.05.2024 for further consideration.

9. In view of the facts and circumstance of the case, we also consider personal appearance of the Deputy Commissioner, Kapurthala (physically or through VC) and the DDPO, Kapurthala, the Manager, Lord Krishna College and Mr. Mann Singh physically on the next date of hearing to be essential for assisting this Tribunal in just and proper adjudication of the

questions involved in the case and they are directed to remain present before this Tribunal on that date with the relevant record.

10. A copy of this order be sent by email to the Deputy Commissioner, Kapurthala and the DDPO, Kapurthala and be also supplied by email to learned Counsel for respondent no. 6 for ensuring compliance regarding appearance of the Manager, Lord Krishna College and Mr. Mann Singh for requisite compliance.

Arun Kumar Tyagi, JM

Dr. Afroz Ahmad, EM

March 18<sup>th</sup> 2024  
AG