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BEFORE THE NATIONAL GREEN TRIBUNAL

EASTERN ZONE BENCH, KOLKATA

I.A No. 40 of 2024

APPEAL NO 8 OF 2024

IN THE MATTER OF

Z-Estates Private Limited & Anr.

Appellant(s)

Versus

State Environment Impact Assessment Authority,

Odisha, & Ors.

Respondent(s)

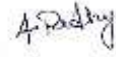
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DATE- 05/09/2024

RESPONDENT 2 THROUGH

PLACE- BHUBANESWAR



SANKAR PRASAD PANI ASHUTOSH PADHY

ADVOCATE

Plot 2132/4814, NageswarTangi, Bhubaneswar 751002 Cell-  
9437279278,Email:[sankarprasadpani@gmail.com](mailto:sankarprasadpani@gmail.com)

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**REPLY AFFIDAVIT ONBEHALF OF THE RESPONDENT-2 TO THE**  
**CONDONATION DELAY APPLICATION**

I, Bidhubhusan Nayak, aged about 48 years, Son of Shri Bishnu Charan Nayak presently serving as Secretary of the Z1 RESIDENTS' WELFARE ASSOCIATION having its registered office at Tower 1 , Flat No.1304 ,Z1 Estate, Nandankanan Road ,Kalarahanga, Patia, Bhubaneswar, Odisha -751024, hereby solemnly affirm, and declare as under:

1. That I am the Secretary of Respondent No 2 Organisation in the above mentioned Appeal AND authorised by the society to swear this affidavit

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2. That the IA No. 40 has been filed by appellant for condonation of delay of 14 days challenging the order dated March 18 of 2024 passed by SEIAA, the present appeal is filed on 01/05/2024.
3. That in para 5 and 6 of the IA appellant has taken a general plea that the applicants office is in Odisha while the advocates office is in Kolkata for which 14 days delay has occurred. It is submitted that when the appellant has been communicated the impugned order through email on 18/03/2024 and thereby they have enough time to prepare the appeal. Hence the delay in filing the appeal is not justified. It is further submitted that prior to issue of impugned order dated 18/03/2024 the Respondent no 1 SEIAA had issued showcause on 28/12/2023, to which the appellant had filed his reply to the showcause on 11/01/2024, in view of this time line the appellant was well aware of the issues raised in the impugned order much earlier to 28/12/2023.
4. Since no sufficient explanation has been given by the appellant and a vague statement that the distance between the appellant and his counsel is the only excuse, hence the same may be rejected and the IA may be dismissed for negligence and latches.
5. It is further submitted that there is a good connectivity between Bhubaneswar and Kolkata by road, air and rail wherein every day more than 30 trains, 10 flights and 100 of buses operates between these cities. And the travel time is hardly 6 hours, as such considering the e-filing option the same can be done from anywhere without coming to Kolkata.

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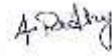
**PRAYER**

In view of the above mentioned paragraphs it is most respectfully prayed before this Hon'ble tribunal to dismiss the present IA 40 of 2024.

DATE- 05/09/2024

RESPONDENT 2 THROUGH

PLACE- BHUBANESWAR



SANKAR PRASAD PANI

ASHUTOSH PADHY

ADVOCATE

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA  
APPEAL NO 8 OF 2024

05 SEP 2024

IN THE MATTER OF

Z-Estates Private Limited & Anr.

Appellant(s)

Versus

State Environment Impact Assessment Authority,

Odisha, & Ors.

Respondent(s)

**AFFIDAVIT**

05 SEP 2024

I, Bidhubhusan Nayak, aged about 48 years, Son of Shri Bishnu Charan Nayak presently serving as Secretary of the Z1 RESIDENTS' WELFARE ASSOCIATION having its registered office at Tower 1 , Flat No.1304 ,Z1 Estate, Nandankanan Road ,Kalarahanga, Patia, Bhubaneswar, Odisha -751024, hereby solemnly affirm, and declare as under:

1. That I am the Secretary of Respondent No 2 Organisation in the above mentioned Appeal AND authorised by the society to swear this affidavit
2. I am fully conversant with the facts and circumstances of the case and therefore competent to swear this affidavit.
3. That I have read over the contents of the accompanying Affidavit in opposition to the delay condonation application and the same is true and correct and is drafted on my instruction

For Z1RWA

*Bidhubhusan Nayak*

SECRETARY  
DEPONENT

VERIFICATION

Verified on this the 5<sup>th</sup> September 2024 at Bhubaneswar that the contents of the above affidavit are true and correct. No part of it is false and nothing material has been concealed there from.

Identified By

For Z1RWA

*Bidhubhusan Nayak*

Advocate

SECRETARY  
DEPONENT



(The above named deponent(s) being duly identified by Sri. *S.P. Raut* Advocate, Bhubaneswar

Apparatus being at *05 SEP 2024* on oath the *12/11/24* affidavit are true to the best of his / her / their knowledge and belief

Deponent(s) Notary, Bhubaneswar

*Janmejaya Raut*  
NOTARY GOVT. OF ODISHA  
BHUBANESWAR  
REGD. NO. ON-86/2013  
Mob. No. - 9337121273



Sankar Pani <sankarprasadpani@gmail.com>

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## Reply affidavit on behalf of R-2 to the IA 40 of 2024 filed by Appellant in OA-8/2024 NGT/EZ

1 message

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**Sankar Pani** <sankarprasadpani@gmail.com>

Thu, Sep 5, 2024 at 2:12 PM

To: "kolkata@argus-p.com" <kolkata@argus-p.com>, Rashmi Bothra <rashmibothra24@gmail.com>

Dear Sir/Madam, please find the attachment.

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National Green Tribunal Kolkata & Orissa Highcourt  
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Bhubaneswar, 751002  
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