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BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EAST ZONE BENCH, KOLKATA
ORIGINAL APPLICATION NO.162 OF 2024/EZ.

In the matter of:-
Sri Arun Kumar Dutta & Ors.
... .. Applicants.
=Versus=
The State of West Bengal & Ors.
... .. Respondents.

AFFIDAVIT-IN-REJOINDER FILED BY THE APPLICANTS AGAINST THE
INSTANT RESPONDENT NOS.3, THE DISTRICT MAGISTRATE, NORTH
24 PARGANAS WITH THE SOLEMEN ORDER DATED 11.07.2025
PASSED BY THE HON'BLE TRIBUNAL.

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06 NOV 2025

Serial No. 15 05/11/2025

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
EAST ZONE BENCH, KOLKATA**



In the matter of:-

O.A.NO.162 OF 2024/EZ.

=And=

In the matter of:-

Sri Arun Kumar Dutta & Ors.

... .. Applicants.

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The State of West Bengal & Ors.

... .. Respondents.

**AFFIDAVIT-IN-REJOINDER FILED BY THE APPLICANTS AGAINST THE
INSTANT RESPONDENT NOS.3, THE DISTRICT MAGISTRATE, NORTH
24 PARGANAS WITH THE SOLEMEN ORDER DATED 11.07.2025
PASSED BY THE HON'BLE TRIBUNAL.**

I, Sri Sujoy Sarkar, son of Sri Nirmal Sarkar, aged about 39 years, by faith - Hindu, by occupation - Business, residing at 3/48, Azad Hind Nagar, Post Office - Agarpara, Police Station - Ghola, District - North 24 -Parganas, Pin - 700109, do hereby solemnly affirm and state as follows:-

01.. That, I am the Constituted Power of Attorney of the applicants herein and, as such, I am well acquainted with the facts and circumstances of the present case. I have been duly authorised by the applicants to swear and affirm this Affidavit-in-Rejoinder on their behalf.



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02.. That, a copy of the Affidavit on behalf of the instant respondent no 3, the District Magistrate, North 24 Parganas, in compliance with the solemn Order dated 11.07.2025 passed by the Hon'ble Tribunal (herein after referred to as said affidavit) sworn and affirmed on 14.07.2025 by the above noted respondent No. 3 herein served upon me through my learned Advocate. I have gone through the same and understood the contents and purport thereof.

03.. With regard to the statements made in paragraph nos.2 and 3 of the said Affidavit, I deny and dispute each and every allegation made therein save and except what are the matters of record.

04.. With regard to the statements made in paragraph nos.4(a) to 4(f) of the said Affidavit, I deny and dispute each and every allegation made therein save and except what are the matters of record.

It is pertinent to mention here that the municipal authority has intentionally dumped the garbage upon the water body in spite of having a specific area allotted by the government for dumping of garbage and in such a way the municipal authority also filled up a part of the said waterbody the area of which is more or less 6000 Sq.feet and after interference of the Hon'ble Tribunal the municipal authority clear some portion of the garbage but the entire thing has not been cleared and the waterbody has not been restored by the municipality.

Moreover the District Magistrate or any officer entrusted by him did not inspect the waterbody and relying upon the report of the municipality this present affidavit has been filed before the Hon'ble Tribunal.

The photocopy of the garbage kept by the Panihati Municipality is annexed hereto and marked as Annexure "R/1".



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05.. With regard to the statements made in paragraph nos.5 to 8 of the said Affidavit-in-Report, I deny and dispute each and every allegation made therein save and except what are the matters of record.

It is pertinent to mention here that this particular affidavit has been filed just to distract the Hon'ble Tribunal from the actual issue and till today the District Magistrate or any other authority did not take any step to restore the waterbody in its old possession by the removing the illegal encroachments made over it.

06.. That, the statements made in paragraph nos. 1 to 5 are true to my knowledge and the rest are my humble submissions before this Hon'ble Tribunal.

Prepared in my office.

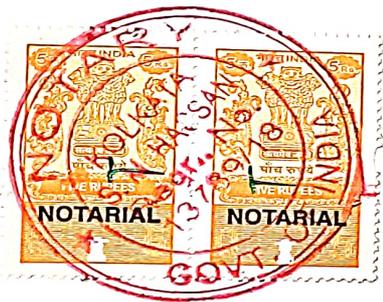
Sobhan Majumdar
Advocate.

Sujay Sarkar

Deponent is known to me.

and identified by me.
read over and explain in
Bengali.

Sobhan Majumdar
Advocate.



SOLEMNLY AFFIRMED AND DECLARED
BEFORE ME ON IDENTIFICATION

S. M. Hassan
S. M. HASSAN
NOTARY

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APPLICANTS AGAINST THE AFFIDAVIT-
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24PARGANAS WITH THE SOLEMEN
ORDER DATED 11.07.2025.PASSED BY
THE HON'BLE TEIBUNAL.

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