



**BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN
ZONE BENCH, KOLKATA APPEAL NO. 06/2025/EZ
WITH
IA NO. 65/2025/EZ**

IN THE MATTER OF:

HARIPADA MANNA

...APPELLANT

VERSUS

STATE OF ODISHA & OTHERS..

... RESPONDENTS

N.D.O.H-13.01.2026

INDEX

S.NO	PARTICULARS	PAGE NO.
1.	Index	1
2.	Reply on behalf of the RespondentNos2 & 6 to the Application for condonation of delay along with affidavit.	2- 7
3.	Proof of Service	8

RESPONDENTS

THROUGH

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2

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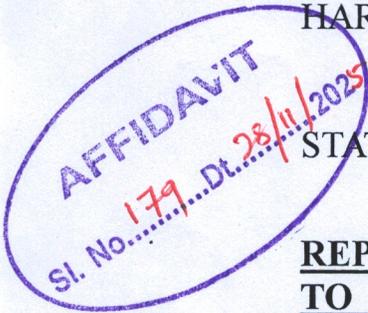
STATE OF ODISHA & OTHERS..

... RESPONDENTS

**REPLY ON BEHALF OF THE RESPONDENT NO. 2 & 6
TO THE APPLICATION FOR CONDONATION OF
DELAY**

Most Respectfully Showeth:

1. That the present matter is pending adjudication before this Hon'ble Tribunal and the next date of hearing is 13.01.2026.
2. That *vide* order dated 24.07.2025, this Hon'ble Tribunal was pleased to issue notice on the I.A No. 65/2025/EZ and the Respondent state was granted 4 weeks'time to file the objections.
3. That at the outset, the Respondents vehemently opposes the present Application for condonation of delay, as the Appellant has failed to make out a case explaining the inordinate delay in filing the Appeal. The Application is liable to be dismissed at the threshold.



Santosh Chandra Sanyal
...ning Officer (I/C)
Balasore

Jalaj
K.C. Sanyal
...ning Officer (I/C)

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4. That the plea of "knowledge" dated 25.03.2025 is patently incorrect, misleading, and manufactured merely to overcome the bar of limitation. The entire premise of the Application that the Appellant allegedly came to know of the approval of the District Survey Report (DSR) only during a visit to the office of the Mining Officer, Balasore, is demonstrably incorrect.
5. That it is an admitted and undisputed fact that the Appellant was fully aware of the DSR process from inception. The Appellant has admitted that he came across the advertisement/notice dated 12.12.2024 inviting comments of general public for preparation of the DSR.
6. That it is an admitted fact and matter of record that the Appellant participated in the DSR process and even filed written objections to the draft DSR, attended the personal hearing, and actively participated throughout the process. Having participated in the proceedings, the Appellant cannot now claim ignorance of the final approval of the DSR. The claim of "coming to know" only upon a visit to the Mining Office is nothing but a deliberate and dishonest attempt to explain away the delay.
7. That the explanation furnished in the Application is not an explanation in the eye of law but a bald narrative devoid of

Tahsil
K.C. Sethi

Santosh Prava Sethi
Mining Officer (I/C)
Balasore

✱

material particulars. The Application fails to provide any proof, supporting documents, dates, or circumstances to establish continuous diligence.



8. That it is humbly submitted that the timeline put forth is inherently improbable and reflects gross negligence. The DSR was approved on 25.03.2025. The Appeal was e-filed only on 04.06.2025, after an unexplained and unjustified delay. The entire period from the alleged date of knowledge till the filing is sought to be whitewashed by general statements.

9. That it is humbly submitted that the law of limitation is founded on public policy and cannot be diluted to accommodate the Appellant's lethargy. Where the Appellant was fully aware of the proceedings, consciously participated in them, and yet failed to act within limitation, the delay cannot be condoned as a matter of routine.

10. That the law on limitation is no longer *res integra*. The law on limitation is that each day's delay should be explained and the explanation should be plausible. However, in the present case, the Appellant has grossly failed to explain each day's delay, and needless to submit that there is no plausible explanation for condoning such delay has be put forth.

Id by
K.C. Setti

Santoshree Prarna Sethy
Mining Officer (I/C)
Balasore

5

11. That the present Application is an abuse of the process of law, designed solely to overcome the statutory bar. The Appellant had every opportunity to approach this Tribunal in time but willingly chose not to do so. Having not acted over his alleged grievance, he cannot now seek indulgence of this Hon'ble Tribunal merely by filing the instant condonation of delay application.



12. That in view of the foregoing it is most humbly submitted that the Appellant's active participation in the DSR process, including filing objections and attending hearings, completely demolishes the foundation of the delay-condonation plea. The casual, vague, and unsatisfactory explanation demonstrates sheer negligence and abuse of process. It is therefore respectfully submitted that the present Application does not disclose even a semblance of "sufficient cause" and deserves to be rejected outright, being barred by limitation, warranting dismissal of the present application.

PRAYER

In light of the above submissions, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- a. dismiss the Application for condonation of delay filed by the Appellant; and

Filed by
K.C. Sethi

Santa shee prava sethy
Mining Officer (I/C),
Balasore



PRAYER



In light of the above submissions, it is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- a. dismiss the Application for condonation of delay filed by the Appellant; and
- b. pass any other order(s) deemed fit in the interest of justice.

RESPONDENTS

THROUGH

SATYA RANJAN SWAIN
 Arguing Counsel, State Of Odisha
Office: 103, Surya Mansion,
 1, Kaushalya Park, Hauz Khas,
 New Delhi- 110016
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VERIFICATION

I Mrs. Santosheeprava Sethy, aged about 33 years, W/o Subham Sekhar Sethi, presently serving as Mining Officer(I/c), Balasore, do hereby verify at Balasore on 28th day of November 2025. That the contents of the above reply are true to the best of my knowledge, as derived from the official record and nothing material has been concealed *thereon*.

NEW DELHI

Santosheeprava sethy
 DEPENDENT **Mining Officer (I/C)**
Balasore

7

BEFORE THE NATIONAL GREEN TRIBUNAL EASTERN
ZONE BENCH, KOLKATA APPEAL NO. 06/2025/EZ
WITH
IA NO. 65/2025/EZ



IN THE MATTER OF:

HARIPADA MANNA

...APPELLANT

VERSUS

STATE OF ODISHA & OTHERS..

... RESPONDENTS

AFFIDAVIT

I Mrs. Santosheeprava Sethy, aged about 33 years, W/o Subham Sekhar Sethi, presently serving as Mining Officer(I/c), Balasore, do hereby solemnly affirm and declare as under:

1. THAT being the Respondent, I am competent to depose the present affidavit.
2. THAT the accompanying Reply to the Application has been drafted by my Counsel under my instructions.
3. THAT having gone through the contents of the same, I say that the contents are true and correct to the best of my belief.

Santosheeprava sethy
Mining Officer (I/C)
DEPONENT
Balasore

Place

Date: 28.11.2025

VERIFICATION

Verified at Balasore on this 28th day of November 2025, that the contents of the above Affidavit are true and correct based on knowledge derived from official records and nothing material has been concealed therefrom.

The deponent being identified by
Sj. K.C. Sethi (Advocate)
Advocate Balasore solemnly affirms
and states that the facts stated above are
true to his/her knowledge and belief and
submits his/her signature/ L.T.I. on this
28th day of November 2025
01:22 A.M./ P.M.

Santosheeprava sethy
Mining Officer (I/C)
DEPONENT

Adl. Tahasildar
Executive Magistrate



THE CHAMBERS <thechambers.srs@gmail.com>

**Filing of Reply to IA 65/2025/EZ – Haripada Manna v. State of Odisha & Ors.-
(Appeal No. 06/2025/EZ)**

1 message

THE CHAMBERS <thechambers.srs@gmail.com>
To: Sankar Pani <sankarprasadpani@gmail.com>
Cc: satyaranjankls <satyaranjankls@gmail.com>

Sat, Nov 29, 2025 at 1:59 PM

Dear Sir,

Kindly find attached herewith the Reply filed to **IA No. 65/2025/EZ** on behalf of the Respondent No.2 & 6 in *Appeal No. 06/2025/EZ*, titled **Haripada Manna vs. State of Odisha & Others**, pending before the Hon'ble National Green Tribunal, Eastern Zone Bench, Kolkata.

Kindly acknowledge receipt.

Regards,

Ankush Kapoor
Advocate--
--**THE CHAMBERS**
of Satya Ranjan Swain**Satya Ranjan Swain**

Advocate

Central Govt. Standing Counsel, Delhi High Court

Arguing Counsel, State of Odisha, Supreme Court

Central Govt. Senior Panel Counsel, Armed Forces Tribunal (PB), New Delhi

Panel Counsel, State of Madhya Pradesh, Supreme Court

Panel Counsel, All India Institute of Medical Sciences (AIIMS), New Delhi

<https://in.linkedin.com/in/advsatyaranjan>**Chambers:**460, Lawyers' Chambers Block-I
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Hauz Khas, New Delhi- 110016**Mob: +91-8860189238**<https://satyaranjanswain.blogspot.in/>*Please consider the environment before printing this email*

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Please contact me on +91-8860189238 or e-mail thechambers.srs@gmail.com for further assistance.

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