

22
No.

BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN BENCH,
KOLKATA, WEST BENGAL

O.A. No. 09/2026/EZ

IN THE MATTER OF:

Rakesh Kumar Mohanty

.....Applicant

Versus

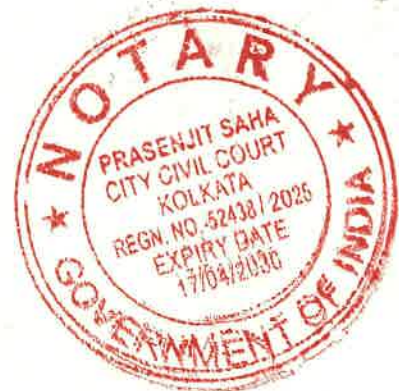
State of West Bengal & Ors

.....Respondents

I N D E X

SL. No.	PARTICULARS	ANNEXURE	PAGE No.
1.	Affidavit in Opposition on behalf of the Respondent No. 5		1-3

Filed by:
SREETAMA BISWAS
ADVOCATE-ON-RECORD
TEMPLE CHAMBERS,
6, Old Post Office Street,
Northern Gate, 1st Floor,
Room No. 59, Kolkata – 700 001
Email – sreetama.biswas0814@gmail.com
F/1559/1488/2017



BEFORE THE NATIONAL GREEN TRIBUNAL, EASTERN BENCH,
KOLKATA, WEST BENGAL

O.A. No. 09/2026/EZ

IN THE MATTER OF:

Rakesh Kumar Mohanty

.....Applicant

Versus

State of West Bengal & Ors

.....Respondents

AFFIDAVIT-IN-OPPOSITION ON BEHALF OF THE RESPONDENT No. 5

I, Avishek Paul Chowdhury, son of Late Benu Paul Chowdhury, aged about 45 years, by faith – Hindu, by occupation - Businessman, residing at 39, B.T. Road, P.O – B D Sopan, P.S – Khardah, North 24 Parganas, Kolkata – 700116, , do hereby solemnly affirm and say as follows:

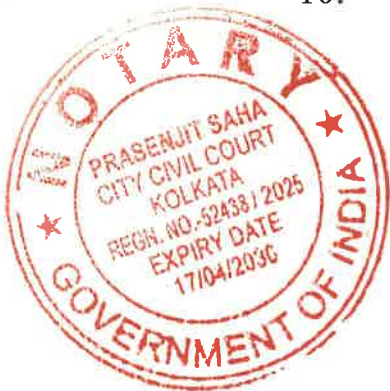
1. I am one of the Partners of the Respondent No. 5. I have been duly authorized by the Respondent No. 5 through a Board Resolution dated 17.06.2026. I have made myself well conversant with the facts and circumstances of the instant matter. I am as such competent to make and affirm the instant affidavit.
2. I have been served with a copy of the Original Application on 02.04.2026. I have gone through the same and have understood the meaning, contents and purport thereof.



3. Before dealing with the allegations made in the said Application, I would like to state the following:
- a. The Respondent No. 5 had originally intended to establish a project in the alleged area as mentioned in the Original Application. And in terms of such prospect, they had taken some steps towards it but after inspection and looking at all the prospects, the Respondent No. 5 did not go ahead with the prospect of the project.
 - b. The Respondent has currently no connection or no intention of having any relation in connection with the area concerned, i.e., the land comprised in Khata No. 123, Plot No. 138, Village – Laxmiposi, Tahasil Shamakhunta, in the Original Application.
4. I shall now deal with the allegations made in the application.
5. With reference to Paragraph Nos. A to H, save and except what have been stated hereinabove and what are matters of record, I deny all other allegations made in the paragraphs under reference.
6. With reference to Paragraph No. I, save and except what have been stated hereinabove and what are matters of record, I deny all other allegations made in the paragraphs under reference. The photographs were taken during the time the officials of the Respondent No. 5 went to visit the place but after such visit, the officials decided not to go through with the project and thus at present the Respondent No. 5 has no connection with the concerned land.
7. With reference to Paragraph Nos. J to R, save and except what have been stated hereinabove and what are matters of record, I deny all other allegations made in the paragraphs under reference.



- 8. In reference to Paragraph No. S, save and except what have been stated hereinabove and what are matters of record, I deny all other allegations made in the paragraphs under reference. The Respondent No. 5 did not make any commercial establishment on the concerned land and thus there is no question of any exploitation of the classified forest status, ecological vulnerability and wildlife corridor. Also thus there is no violation of any direction or order passed by the Hon'ble Supreme Court.
- 9. I thus submit that the name of the Respondent No. 5 should be expunged from the present proceeding as though there was an intention earlier, but at present the Respondent No. 5 have no intention or relation to any commercial establishment on the concerned area of land.
- 10. That the statements made in Paragraph Nos. 1 to 8 are true to the best of my knowledge and belief and those made in Paragraph 9 are my humble submission before this Hon'ble Commission.



Prepared by me

Shreeta Biswas

Advocate

F/1559/1488/2017

Deponent

Arshik Paul Chowdhury

Identified by me

Shreeta Biswas

Advocate

F/1559/1488/2017

Solemnly affirmed and declared
Before me on Identification

Baba

PRASENJIT SAHA
Notary, Kolkata, Govt. of India
Regn. No.-52438/2025

22 JUN 2026





Hotel Sonar Bangla Simipal

Anishek Paul Choudhury
Partner

VAKALATNAMA

In the court of the National Green Tribunal, Eastern Bench,
Kolkata

Ref. O. A. No. 09 of 2026/EZ

Rakesh Kumar Mohanty Plaintiff/ Appellant
-Versus- Petitioner/Claimant

State of West Bengal & Ors

Defendant/Respondent

Opposite Party

Known All Men by these Present I/ We ,

the Respondent No. 5

do hereby in my name/ our behalf constitute and Shree Priyabrata Thakur, Advocate
and Sreetama Biswas, Advocate

as my/our true and lawful Pleader/Advocate to appear and to act for me/us in the above suit/case, appeal to file suit case appeal written statement to conduct suit, proceeding case and appeal from original suit order etc and for that purpose to examine witness and to do all acts and things whatsoever required to do done in accordance therewith including compromise of the above matter, depositing in or withdrawing money from filling or taking out of paper, document and payment order from court office of the Rent Controller referring matter in dispute between the parties here to go a birration, withdrawing the above matter with liberty to file fresh suit receiving properties released from attachment filling execution sale obtaining or miscellaneous case and other portion, bedding at execution sale obtaining payment from J D' s out of court, withdrawing custody and other feed and doing on my/our behalf such other acts in the above matter as are necessary and proper and also to appear and to act to me/us in cases relating Income Tax, Sale Tax, custom and other revenue matter with authority to deposit money or to receive payment from the said office on my/our behalf.

I/We hereby agreeing to ratify and confirm all acts so done by the said Advocate or attorneys as my/our own acts and as if done by me/our own acts and as if done by me/us all intents and purposes.

ADVOCATES

Date

PRIYABRATA THAKUR
ADVOCATE
TEMPLE CHAMBERS,
6, Old Post Office Street,
Northern Gate, 1st Floor, Room No. 59
Kolkata - 700001
Email: advocatethakur2000@gmail.com
(M) 70447 86668

SREETAMA BISWAS
ADVOCATE
TEMPLE CHAMBERS,
6, Old Post Office Street,
Northern Gate, 1st Floor,
Room No. 59, Kolkata - 700001
Email: sreetama.biswas0814@gmail.com
(M) 96099 88771

Bairner

Heret 2001 Bsngrs 21mbet

Received the Vakalatnama
 from my client's agent
 and accepted by me
 Sreelata Bhasin
 Advocate
 F/1559/1488/2017

Received the vakalatnama
 from my clients agent
 and accepted by me
 Sri Sreelata Bhasin
 Advocate
 WB-201/2001