

**BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN
ZONE AT PUNE**

Appeal No. 164/2024 (WZ)

SUNIL MANDREKAR & ORS

... APPELLANTS

Vs.

**GOA COASTAL ZONE MANAGEMENT
AUTHORITY AND ORS**

... RESPONDENTS

**ADDITIONAL AFFIDAVIT ON
BEHALF OF APPELLANT**

I, **MR. SUNIL MANDREKAR**, Son of Shivaji Mandrekar, 53 years of age, Indian National, R/o H. No. 392, Digi Wada, Narve, Bicholim – Goa 403721, the Appellant No.1 above named, do hereby on solemn affirmation state and submit as under:

1. I say that I am the owner of survey no. 48/21 of Naroa, wherein there exists one old authorized structure wherein a Bar and Restaurant named and styled as "*Village Bar and Restaurant*" is operated by my mother Smt. Soyarabai Mandrekar.



2. I say that the said structure was constructed in the year 1975 by my late father. And the same has been existing since then.
3. I say that vide Demolition Order dated 24/09/2024 GCZMA directed my brother Mr. Dayesh Mandrekar to demolish the said structure situated in the subject property. However, neither the said property nor the said structure belongs to Mr. Dayesh Mandrekar.
4. I say that the said Demolition Order dated 24/09/2024 is challenged before the Hon'ble National Green Tribunal Western Zone at Pune in Appeal No. 164/2024 (WZ).
5. I say that Vide Order dated 22.11.2024, the Hon'ble NGT has held as under:
“ ...
3. The other ground which has been set up by the appellants is that the said structure is owned by appellant No.1 and the business over there is being run by appellant No.2, the mother of appellant Nos.1 and 3. Appellant No. 3 has been issued notice in the case in



hand, who has nothing to do with the structure in question and therefore, without perusal of the documents by respondent No.1-GCZMA, which the learned counsel for the appellants is relying upon to prove their case, the impugned order has been passed by the GCZMA.

4. We have gone through the impugned order. We find that respondent No.1 has not issued notice to appellant No.1, who is claiming to be the owner of the property in question and in the site inspection report, name of appellant No. 3 – Dayesh Mandrekar (brother of appellant No.1) is recorded. Therefore, we deem it appropriate to hear respondent No.1 – GCZMA as to why notice was not issued to appellant No.1 being the owner of the structure/property in question, nor was appellant No.1 informed at the time of inspection to remain present.

5. Considering the grounds set up in the memo of appeal and the prima facie evidence produced on record, we admit this appeal and direct the Registry to issue notice to respondent No.1 – GCZMA and respondent No.2 – River Navigation Department, Government of Goa, returnable within four weeks.

... ”



6. I say that as per the above Order, the Appeal is admitted and the matter is posted for further consideration on 07.01.2025. Accordingly, my advocate has taken necessary steps to serve the Notices onto the River Navigation Department and the Goa Coastal Zone Management Authority. My advocate also filed affidavit of service to that effect.
7. I have now learnt from reliable sources that the GCZMA is in the process of executing the demolition order by taking assistance from the Collector. The said information is also orally confirmed by the Dy. Collector of North Goa at Bicholim who has stated that the demolition will be undertaken if no stay is granted by the Hon'ble tribunal.
8. I say that since the Order passed by this Hon'ble Court states that the Appeal is admitted and requires further consideration, I request this Hon'ble Tribunal to grant stay on the execution of the demolition order dated 24/09/2024.



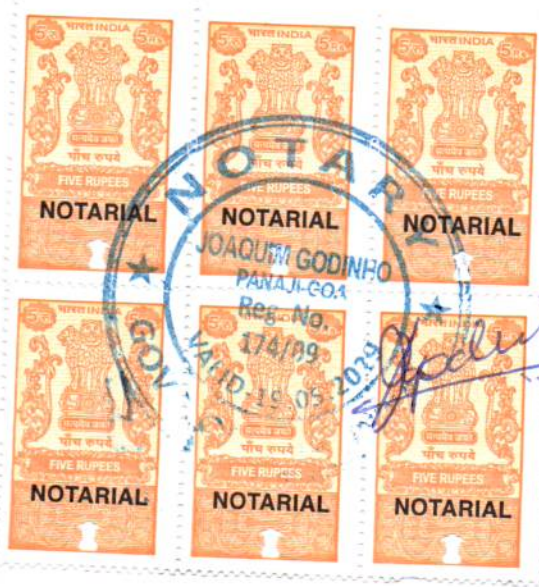
9. I say that grave prejudice shall be caused to me and my family if the demolition is undertaken in pursuance of the Demolition Order dated 24/09/2024, which shall also render the Appeal infructuous.

10. I say that the contents of the aforesaid paras 1 to 10 of this affidavit are true to my own knowledge.

Solemnly affirmed at Panaji, Goa

On this 06^m day of January 2025

DEPONENT



SOLEMNLY AFFIRMED AND VERIFIED BEFORE ME
Mr. Sunil Mandrekar

WHO IS IDENTIFIED BEFORE ME

BY ADV. _____

WHOM I KNOW Adhar Card no 690050504411

SERIAL NO: 283 DATED: 06/01/2025

VALID UPTO 19.05.2029

JOAQUIM GODINHO NOTARY PANAJI-GOIA

Joaquim
06/01/2025

JOAQUIM GODINHO
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