

B.M PARCHURE V/S SRI AMBURLE
,ORS OANo-105/2025

ADDITIONAL AFFIDAVIT

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Before the National Green Tribunal
sitting at Pune, western zone,
Memorandum Of Application (under
section 18(1) read with sections 14, 15, 16
& 17 of National Green Tribunal Act,
2010) **OA No. 105/2025**

Additional affidavit

1. Sri Balvant Murlidhar Parchure

C 1011, Meridian CHS, sector 6, Nerul west, Navi
Mumbai- 400706, mobile no: 9529696343 Email:
balvantparchure@yahoo.co.in

Applicant

V/S



1. Sri Mayuresh Ashok Amburle, at and post Harnal,
taluka Dapoli, district Ratnagiri -415713 mobile no:
8605289101, email: not available

2. Sri Naved Najir Sayyad, usi park, Kaljai kond, at and
post Dapoli, district Ratnagiri -415712 mobile no:
7276731117, email: naved_sayyad@yahoo.in

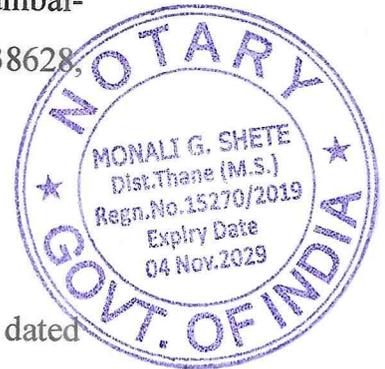
3. Sub Divisional Officer, Sub
Divisional Office Dapoli, and at post Dapoli-



415712 mobile no: not available, tel. no:
0235828203 email: sdo_dapoli@rediffmail.com

4. Collector, Ratnagiri, collector office, near Jay
stambh, at and post Ratnagiri-415612 mobile no:
9011234299, email: revenuecollector@yahoo.in

5. Director and Member secretary (MCZMA),
Environmental department, 15th floor, new
administrative building, Mantralay, Mumbai-
400032 mobile no: 9920338628,
email: mahamczma@gmail.com



RESPONDENTS

1. As per the order of this tribunal dated
16/09/2025 I am exhibiting permission of
MCZMA dated 07/12/2017 having having
no. CRZ2017/CR285 (handwritten
overwriting)/TC4. (Exhibit A) The meeting for this
122nd has taken place on 30/10/2017 while the
permission states 121st meeting on 15-16th
september. It may be noted that agenda of meeting
published do not show name sri amburle as project
proponent or project (Exhibit B)

2. It is mentioned by assistant collector ratnagiri in
his order and sdo ,dapoli in his notice that sri
respondents 1 and 2 has done substantial
construction without crz permission as on
02/05/2017. (page no. 70, 106, and 113 of original

application)They have quoted the dapoli civil court order against sri amburle dated 02/05/2017 , in which civil court has asked sri amburle not to do further construction without taking crz permission. I am attaching said order which clarifies position that respondents no.1 and 2 has done construction before taking permission and permission obtained is post facto.(Exhibit C) .I had filed original application earlier having OA no.177/2024 and contains detail order of dapoli court.

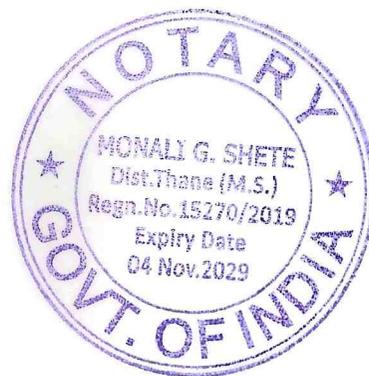
The post facto permission obtained by fraud should be dealt with strictly.



Sri B M Parchure

Date 22/09/2025

Applicant





AFFIDAVIT

I SRI BALVANT M PARCHURE AGE 69, OCCUPATION BUSINESS, FARMER, R/O DISTRICT THANE AND APPLICANT HEREIN SOLEMONELY AFFIRM THAT CONTENTS ARE TRUE TO MY PERSONEL KNOWLEDGE AND INFORMATION AND I SIGN HERE ON 22 th DAY OF sepetember 2025


AFFIANT





VERIFICATION

I SRI BALVANT M PARCHURE AGE 69 ,OCCUPATION BUSINESS,FARMER ,R/O DISTRICT THANE APPLICANT HEREIN DO HEREBY VERIFY THAT CONTENTS OF THE APPLICATION AS MENTIONED ARE TRUE AND CORRECT TO MY PERSONEL KNOWLEDGE AND BELIEF AND I HAVE NOT SUPRESSED ANY MATERIAL FACT IN THE WITNESS WHEREOF I SIGNED BELLOW ON 27thTH DAY OF AUGUAST 2025

[Handwritten Signature]

Sri BALVANT MURLIDHAR PARCHURE

Applicant



BEFORE ME
NOTARY
[Signature]
MONALI G. SHETE
ADVOCATE & NOTARY
Shop No.1, Digne House,
Behind Sai Baba Mandir,
Court Naka,Thane (W)-400601.

NOTED & REGISTERED
9610/25

22 SEP 2025

MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

Tel. No. : 22029388

E-mail : dir1.mev-mh@nic.in

Website: <https://mczma.maharashtra.gov.in/>

No. CRZ 2017 / CR²⁸⁵ / TC - 4

Office of the -

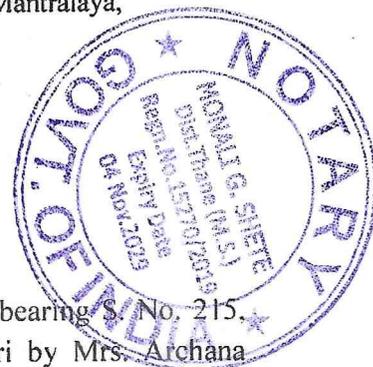
Maharashtra Coastal Zone Management Authority,
Environment Department, 15th floor,
New Administrative Building, Mantralaya,
Mumbai- 400 032.

Date: 7th December. 2017

To,

Mrs. Archana Ashok Amburle &
Mr. Mayuresh Ashok Amburle,
At Post: Harnai. Tal: Dapoli. Dist: Ratangiri.

Subject: Proposed residential & commercial building on plot bearing S. No. 215, H. No. 13/A, at Harnai, Tal. Dapoli, Dist. Ratnagiri by Mrs. Archana Ashok Amburle & Mr. Mayuresh Ashok Amburle



The proposal regarding residential & commercial building on plot bearing S. No. 215, H. No. 13/A, at Harnai, Tal. Dapoli, Dist. Ratnagiri was considered in 121st meeting of the MCZMA held on 15th to 16th September, 2017.

2. The Authority noted that the the proposal is for residential & commercial building on plot bearing S. No. 215, H. No. 13/A. at Harnai, Tal. Dapoli. Dist. Ratnagiri. The plot under reference falls in CRZ-III area & within 200 m - 500m from HTL of Arabian Sea.
3. The Authority noted that there is matter bearing No. 42 / 2017 disposed by Hon. Civil Court Dapoli. Sub divisional Officer Dapoli has granted NA permission dated 17.3.2017 for proposed residential & commercial building on plot bearing S. No. 215. H. No. 13/A (pt) area 1358 sqm at Harnai, Tal. Dapoli, Dist. Ratnagiri. As per layout plan submitted by PP, proposed residential & commercial building comprises of Gr. + 2 floor of 'A' Type and Gr. + 3 floor of 'B' Type on plot under reference. Area of plot is 1358 sqm.
4. The Authority noted that as per the para 8.II. CRZ III of the CRZ Notification, 2011, . Construction of dwelling units comprising Ground + 1st floor with max height of 9 meter for local traditional communities are allowed beyond 200 m from the HTL of the Seafront in CRZ III area.
5. The Authority after deliberation decided to recommend the proposal from CRZ point of view to concerned planning Authority subject to compliance of following conditions:

Specific conditions:

1. Proposed project should be as per the provisions of CRZ Notification, 2011 (amended from time to time)
2. Local body to ensure that the PP is local inhabitant.

3. Local body to ensure that no construction is started on site before issuance of commencement certificate to the said project under consideration.
4. Local body to ensure proposed construction is beyond 200 m from the HTL of seafront.
5. Local body to ensure that the proposed construction is Ground + 1st floor with max height 9 m for residential use only.
6. All other required permissions from different statutory authorities should be obtained prior to commencement of work

General Conditions:

- i. The MCZMA reserves the right to revoke this recommendation, if the conditions stipulated are not complied with to the satisfaction of the MCZMA or Environment Department.
 - ii. The MCZMA or any other competent authority, may stipulate any additional conditions subsequently, if deemed necessary, for environmental protection, which shall be complied with.
 - iii. A copy of the recommendation letter shall be marked to the concerned local body/ local NGO, if any, from whom any suggestion/ representation has been received while processing the proposal.
 - iv. This recommendation will be valid for 5 years from the date of issue of recommendation for commencement of construction & operation.
 - v. The recommendation from CRZ point of view is being issued without prejudice to the action initiated under EP Act or any court case pending in the court of law and it does not mean that project proponent has not violated any environmental laws in the past and whatever decision under EP Act or of the Hon'ble court will be binding on the project proponent. Hence this recommendation does not give immunity to the project proponent in the case filed against him, if any or action initiated under EP Act.
6. The agenda item, minutes and the copy of this recommendation letter is also available on the website of MCZMA i.e. <http://mczma.maharashtra.gov.in>.


Member Secretary (MCZMA)

Copy for information to:

1. **Additional Chief Secretary**, Environment & Chairman, MCZMA, Environment Dept. Room No. 217, Annexe Building, Mantralaya, Mumbai.
2. **Director (IA-III)**, Coastal Zone Regulation, Government of India, Ministry of Environment, Forests & Climate Change, Indira Paryavaran Bhavan, Jor Bagh Road, New Delhi - 110 003.
3. **Member Secretary**, Maharashtra Pollution Control Board, Kalpataru Point, 3rd and 4th floor, Opp. CineMax Theatre, Sion (E), Mumbai-400 022
4. **District Collector**, Ratnagiri, Collectorate office, Ratnagiri.
5. **Select File- TC 4**



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Government of
Maharashtra

RTI Online

An initiative by GAD, Mantralaya, Mumbai

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Your RTI Request filed successfully.

Please note down the following details for further references.

Registration Number	DOENV/R/2025/60437
Name	BALVANT PARCHURE
Date of Filing	17-09-2025
RTI Fee Received	₹ 10
MAHA Online Reference number	526084683365
Transaction Status	Success
Request filed with	Environment Department
Contact Details of Nodal Officer	
Telephone Number	22873155
Email Id	chandrakant.vbhute@nic.in

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महाराष्ट्र शासन

ऑनलाईन माहितीचा अधिकार

सामान्य प्रशासन विभाग, मंत्रालय, मुंबई यांच्या पुढाकाराने

9

मुख्य पृष्ठ अर्ज सादर करा प्रथम अपील सादर करा सद्यस्थिती पाहा नेहमीचे प्रश्न संपर्क

Online RTI Status Form/ऑनलाईन आरटीआय सद्यस्थिती अर्ज

Note/सूचना: Fields marked with * are Mandatory/ * चिन्हांकित रकान्यात तपशिलाची नोंद अनिवार्य आहे

Registration Number /नोंदणी क्रमांक :	DOENV/R/2025/60437
Name /नाव	BALVANT PARCHURE
Date of Filing /भरणे तारीख :	17/09/2025
Status /स्थिती :	REQUEST DISPOSED OF /विनंती निकाली as on 18/09/2025
Reply :- Copy of MCZMA recommendation letter dated 07.12.2017 is attached herewith	
View Document /दस्तऐवज पहा :	
Nodal Officer Details	
Telephone Number /टेलिफोन क्रमांक :	22873155
Email Id /ई-मेल आयडी :	chandrakant.vibhute@nic.in

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मुख्य पृष्ठ | भारताचे राष्ट्रीय पोर्टल | माहिती आयुक्त, महाराष्ट्र यांच्याकडे तक्रार आणि द्वितीय अपील | नेहमीचे प्रश्न
कॉपीराईट © 2015. सर्व हक्क सुरक्षित. राष्ट्रीय सूचना विज्ञान केंद्र, नवी दिल्ली द्वारा संकल्पित, विकसित व स्थापित.

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MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

Tel. No. : 22873844

Website: <https://mczma.maharashtra.gov.in/>

No. MCZMA 2017/CR 26/MCZMA

Office of the –

Maharashtra Coastal Zone Management Authority,

Environment Department, 15th Floor,

New Administrative Building,

Mantralaya, Mumbai- 400 032

Date: 11th September, 2017

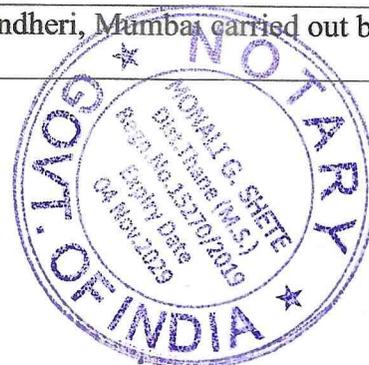
To,
All the Project Proponents
(As listed below)

Subject: 121st Meeting of Maharashtra Coastal Zone Management Authority (MCZMA) scheduled to be held on 14th & 15th September, 2017

I am directed to inform you that, the 121st Meeting of Maharashtra Coastal Zone Management Authority (MCZMA) under the Chairmanship of Additional Chief Secretary (Environment) is scheduled to be held on 14th & 15th September, 2017 at 10.00 am onwards in Conference Hall, 4th floor, Maharashtra Pollution Control Board, Kalpataru Point, Opp. CineMax Theatre, Sion (E), Mumbai.

Project proponent of proposals listed below are requested to make it convenient to attend the meeting with necessary documents, court orders, maps, presentation etc. related for presenting your case before the Authority.

Day -1 14th September, 2017	
Sr. No.	Subject
Court matters	
1)	Application No. 81/2016 (WZ) Jagdeep Waman Ambukar & Anr Vs Gopal Laxman Davate & Ors
2)	WP (L) No. 1872 of 2017 (Yogi Build Corporation And Anr Vs Union of India & Ors) in the matter of CRZ status of land bearing plot no. A 3, CTS No. 195 pt of village Andheri, MHADA layout at D N Nagar, Andheri (W), Mumbai by M/s Sai Project Consultants
Complaint matters	
3)	SRA Scheme on plot bearing CS No.1980(pt), Fort, Plot No.153A(pt) & 150A(pt), Back Bay reclamation Scheme III, Nariman Point, Mumbai
4)	Complaint pertains to construction on CTS No. 620, 621, Andheri, Mumbai carried out by M/s. Runwal Developers



Discussion Items	
5)	Representation on condition of MCZMA for the Mumbai Metro Line -3 Project
6)	Discussion Item, if any
Government Proposals	
7)	Proposed construction of Model Rural Health Research Institute Unit (MRHRU) for cottage hospital on land bearing S. No. 167 at village Dahanu, Tal. Dahanu, Dist. Palghar by NIRRH
8)	Proposed construction of Anti-Sea Erosion Bund behind Raigad Collector Bungalow to DSP Bundalow at Alibag, Dist. Raigad by Harbour Sub-division, Alibag
9)	Proposed bunkering facilities at Jawahar Dweep (Butcher Island) at Mumbai by M/s HPCL
10)	CRZ status of project site of SWM projects at Umbarde & Barave & Manda, Tal. Kalyan, Dist. Thane by KDMC
11)	Majgaon Kharland Scheme, Tal. Dist. Ratnagiri by Kharland Development Division, Kuwarbay, Ratnagiri
12)	Proposed rejuvenation of Malabar Hill Gardens (Kamala Nehru Park and Sir Pheroazshah Mehta Garden) by MCGM
13)	Proposed storm water drainage project for Mira Bhayandar Municipal Corporation area under the Amrut Mission by MBMC
14)	Proposed construction of concrete ramp & construction of approach way at Sorsole, Navi Mumbai, Dist. Thane by Mangrove Cell
15)	Proposed redevelopment of existing DRK staff quarters & Vidhi Room in Oshiwara Cemetary on land bearing CTS No. 446A (pt) & 410A (pt) of village Oshiwara at Relief Road, Jogeshwari (W), K/W Ward, Mumbai by MCGM
16)	Proposed demolition and reconstruction of catering Institute DSS on plot bearing F. P. No. 743 'A', G/N ward, Mahim, Mumbai by The Brihan Mumbai Electric Supply & Transport Undertaking
17)	Proposed fisheries training cum information technology center on plot bearing C. S. No. 664/A, S. No. 191, 193, 194 & 198 of mauje Shirgaon, Tal. & Dist. Ratnagiri by Konkan Krushi Vidhyapeeth, Shirgaon
18)	Proposed Petrol Pump on plot bearing C.S. No. 1034/1 at Alibag, Tal. Alibag, Dist. Raigad by Dy. Superitendant of Police Raigad
19)	Proposed laying of Natural Gas Pipeline from Uran to Navi Mumbai Municipal Corporation office through Kille Gaothan, Ulwe Gaothan, crossing Panvel creek near Belapur, Navi Mumbai by Mahanagar Gas Limited
20)	Proposed Kharland Scheme at Dadar, Tal Pen, Dist Raigad by Kharland Survey & Ivestigation Division, Pen
21)	Proposed construction of toilet blocks at shastrinagar near sea beach Alibag under Maharashtra Swachhata Abhiyan by Alibag Municipal Council
22)	Proposed Memorial of late Balasaheb Thackaray at Shivaji Park, Dadar, Mumbai by MCGM



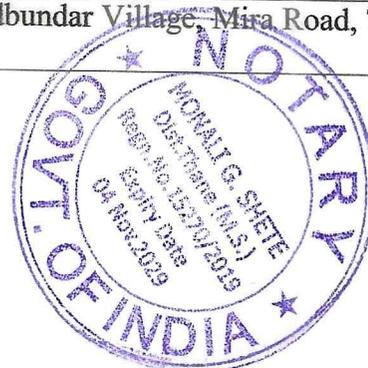
Raigad, Ratnagiri & Sindhudurg District	
23)	Proposed reconstruction of residential building on S. No. 135, H. No. 10 A & 10 B situated Danda Taribandar Road, Shriwardhan, Tal. Shriwardhan, Dist. Raigad by Shri. Sachin S. Navale
24)	Proposed construction of industrial building on plot bearing S. No. 62/1, 62/2, 68/2, 140/1 & 140/2 at village Khaniwade, Tal. & Dist. Palghar by Shri. Mahesh Gujar
25)	Proposed expansion of Container Freight & Warehouse Building on plot bearing plot no. 7(3), 7(5A), 7(5B), 7(6), 8(1A), 8(1B), 8(1C), 8 (1D), 8(1E), etc... at village Kachrepada (Khopta), Tal. Uran, Dist. Raigad by M/s Universal Container Freight Station Pvt. Ltd.
26)	Proposed construction of residential cum commercial building on plot bearing C. S. No. 1066, S. No. 13, H. No. 1A/1B, at village Nagothane, Tal. Roha, Dist. Raigad by Shri. Dinesh Dattatray Zolge
27)	Proposed construction of residential bungalow complex on plot bearing Gut No. 164, 171, plot no. 1 to 21, at Borli, Tal. Murud, Dist. Raigad by Shri. Rajanikant D. Deshmukh
28)	Proposed direct berthing deep water jetty facility on Kundalika River, village Korlai and capacity enhancement at existing Inland Water Jetty Facility on Kundalika River at Village Sanegaon, Tal. Murud, Dist. Raigad by M/s Indo Energy International Limited.
29)	Proposed residential building on Plot bearing Survey no. 193/5, CTS no.149A, 151 at village Guhagar, Tal. & Dist. Ratnagiri by Shri. Balvant Murlidhar Parchure
30)	Proposed resort project at plot bearing S. No. 53/1, 55/1 at Varacha Patta, Tal. Guhagar, Dist. Ratnagiri by Shri. Suhas M. Ponshe & Ors
31)	CRZ status of plot bearing S. No. 132/2 at Taloja Majkur, Panvel, Dist. Raigad by Mr. Baburao U. Raje
32)	Proposed addition of first floor on plot bearing CTS No. 674 (pt) & 674/1 at Alibag, Tal. Alibag, Dist. Raigad by Shri. Imran Abdul R. Ghatte
33)	Proposed School Building on plot bearing S. No. 130, H. No. 7, mouje Nagothane, Tal. Roha, Dist. Raigad by M/s. Holy Angels School Nagothane
34)	Proposed construction of residential building on land bearing C.S. No. 1292 & Other, mouje Ravdanda, Tal. Alibag, Dist. Raigad by Shri. Sachin Dattatrey Dharmadhikari & Others
35)	Proposed repair and reconstruction on plot bearing S. No. 76 (1), H. No. 1 of mauje Mutat, Tal, Devgad, Dist. Sindhudurg by Shri. Jayant Atmaram Paranjpe
36)	Construction of residential building on plot bearing S. No. 142/8, C.S. No. 1666, mouje Murud, Tal. Murud, Dist. Raigad by Shri. Jafar Hussain Madgadi
37)	Proposed construction of commercial cum residential building on plot bearing S. No. 75/23, C.S. No. 2702 mouje Murud, Tal. Murud, Dist. Raigad by Shri. Sureshkumar Ratanchand Jain
38)	Proposed construction of residential building on plot bearing S. No. 75/3/B, C.S. No. 2053 at mouje Murud, Tal. Murud, Dist. Raigad by Shri. Hasmukh Futarmal Jain
39)	Proposed construction of residential building on plot bearing S. No. 105/1, C.S. No. 839 at Murud, Tal. Murud, Dist. Raigad by Shri. Anil Dharmraj Bhayde
40)	Proposed construction of residential building on plot bearing C. S. No. 1962 at Murud, Tal. Murud, Dist. Raigad by Shri. Gajanan Janardan Nandgaonkar & Others
41)	Proposed construction of residential building on plot bearing C. S. No. 2245 at Murud, Tal. Murud, Dist. Raigad by Smt. Ashalata Raman Khatu & Others



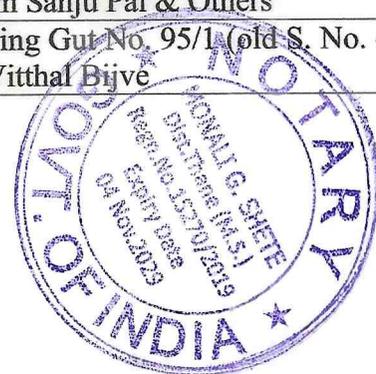
42)	Proposed reconstruction on plot bearing CTS No. 2936B of village Malvan, Tal. Malvan, Dist. Sindhudurg by Shri. Laxman V. Malvankar
43)	Proposed construction of residential building on land bearing plot no. 73, 74 & 75, Sector No. 17, Kalmboli (Roadpali), Tal. Panvel, Dist. Raigad by M/s. Dimpy Infra Ventures Pvt Ltd
44)	CRZ status of project site bearing Old Survey Nos. 38/1/2 & 38/2/2 (New Survey No. 38/3 & 38/4) village Karnala (Tara), Tal. Karnala, Dist. Raigad by Shri. Sudesh Nagdev
45)	Proposed residential cum commercial building on plot bearing Survey No. 21, Hissa No. 4, 8 & 9 at Juikar Mohalla, Tal. Dapoli, Dist. Raigad by Shri. Sandeep Suresh Sadvilkar
46)	Proposed construction of commercial building on plot bearing G. No. 617 A & 618/A of village Wadvali, Tal. Shriwardhan, Dist. Raigad by Shri. Narendra R. Balla
47)	Proposed residential building on plot bearing H. No.55A, Gaonthan no. 1 of village Mhasala, Tal. Mhasala, Dist. Raigad by M/s Samiksha Constructions
48)	Proposed construction of residential building on plot bearing S. No. 55, H. No. 16K at mauje Huda, Tal. Vengurla, Dist. Sindhudurg by Shri. Remet Niklav Parera

Day -2
15th September, 2017

Sr. No.	Subject
Mumbai, Thane, Palghar & Navi Mumbai	
49)	NOC for CRZ having Plot No. 51, Sector 17, Roadpali, Navi Mumbai by Shri. Haridas Savlaram Bhagat & others
50)	Advertisement Hoardings at MMB Land, Mahim Causeway towards Sealink, Mumbai by M/s. Sharada Kharat Infrastructure Pvt. Ltd.
51)	Proposed repair amounting to reconstruction of existing bank office building on land bearing CS No. 305 of Fort Division Ward no. A- 2097, 249-51 situated at Perin Nariman Street, Fort, Mumbai by M/s. Abhyudaya Co. Op. Bank Ltd.
52)	Advertisement Hoardings 1) at Segment 1, Mahim Interchange Space Below Mahim Flyover, CTS NO. A791 & A792 Part in property of MSRDC by M/s. Sagar Look Outs 2) M/s. Wallop Advertisement at Railway premises near Railway Over Bridge South East at Bandra, Western Express Highway, Mumbai
53)	Proposed redevelopment on plot bearing CS No. 168 & 169 of Malabar Hill Division situated at the junction of Jammadas Mehta Road and B. G. Kher Road, Mumbai by M/s Metropolitan Properties Pvt. Ltd.
54)	CRZ Status of plot bearing F. P. 1210 TPS IV, Mahim Division, at Veer Savarkar marg, Prabhadevi, Mumbai by M/s. Lodha Developers Pvt. Ltd.
55)	CRZ Status of site bearing S. No. 53/3/1, Plot No. 1 of mauje Umerpada Nandade, Tal. & Dist. Palghar by Shri. Kishor Shah
56)	CRZ status on plot bearing CTS No. 1015 of village Pahadi Goregaon, Link Road, Goregaon (W), Mumbai by M/s Zen Consultants
57)	Proposed laying electric cable at S. No. 1, H. No. 5, Ghodbundar Village, Mira Road, Tal. & Dist. Thane by Smt. Yashoda Gajanan Vaity.



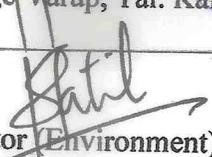
58)	Regarding clarification of Building project Ajmera Aeon on plot bearing CTS No. 1A/7, 1A/8 of village Anik at Wadala Ward, Mumbai by M/s. Anik Development Corporation
59)	Proposed erection of fire escape staircase on plot bearing CS. No. 1606, plot no. 170, 'A' ward, at Suraksha building Tata Road, Churchgate, Mumbai by Shri. Vijay Tillu
60)	CRZ status of plot bearing CTS No. A/617/8 of village Bandra, Santosh Nagar, Bandra (W), Mumbai by M/s. Arch Dimensions
61)	Redevelopment at plot bearing C.S. no. 577 of Malbar Hill division, D ward, at Nepean Sea Road, Mumbai by M/s. Adroit Estate Developers Pvt. Ltd.
62)	Permission to supply of electricity at 1) shop no. 03, shree sai dham, nr. Gorai Bridge, Dr. Babasaheb Ambedkar Marg, Charkop, Kandivali (W), Mumbai by Sri. Patiram Santanu Pal and 2) Gulli No. 4, Ganpat patil nager, Link Road, Opp. S. V P College, I C Colony, Borivali (W), Mumbai by Sou. Mangala Sadashiv Helaskar
63)	NoC for converting Agriculture land to N.A. land of plot bearing Survey (Gat) No. 237, 320 & 321 at village Palas, Tal. Roha, Dist. Raigad by Shri. Rajendra S. Khurd
64)	Proposed redevelopment on plot bearing CTS No. 799 of village Juhu, situated at road no. N. S. 11, JVPD, Juhu, Vile Parle (W), Mumbai by Shri. Atul A. Rana
65)	Proposed redevelopment of office building no. 1 on land bearing CS No. 998 (pt) & 999 (pt), Shivaji Nagar, Worli, Mumbai by M/s Wondervalue Realty Developers Pvt. Ltd
66)	Proposed laying of cable & construction of substation on plot No. 03, bearing S. No. 104/5, H. No. 1, CTS No. 1722 of village Bhaskar Bhopi Marg, Madh, Malad (W), Mumbai by Mr. Joseph Rodrigues
67)	Proposed advertisement hoardings on the ground level of the premises of Police Gymkhana situated at C.S. No. 473 of Bhuleshwar Division, Marine Drive Charni Road, Mumbai by M/s. Live Media & Entertainment
68)	Proposed residential building on plot bearing Gut No. 148, mouje Saphale, Tal. Palghar, Dist Palghar by Shri. Pravin Madhukar Satavi & Shri. Anant Jivan Patil
69)	Proposed redevelopment on plot bearing CTS No. B/893C of village Bandra, situated at Byramjee Jeejeebhoy Road, Bandra (W), Mumbai by Mr. Jimmy Moos
70)	CRZ status of project site bearing S. No. 16, 17, 18 & 218 of village Shahad, Tal. Kalyan, Dist. Thane by M/s Birla Estate
71)	CRZ status of project site bearing CTS No. 30 & 31 of village Juhu, situated at Juhu Varsova Link Road, A/W ward, Andheri (W), Mumbai by M/s Khoja Shia Isnaashari Jamaat
72)	Proposed redevelopment on plot no. 130, Sector No. 8, Vashi, Navi Mumbai by Mr. Gurucharan Bhandari
73)	CRZ status of project site bearing F. P. No. 763 of TPS IV, Mahim Division, in G/ N ward, Dadar, Mumbai by M/s Anil Patil Consultants Pvt. Ltd.
74)	Proposed development of firebrigade on plot bearing S. No. 48 (pt) & 49 (pt) of village Tivri, Tal. Vasai, Dist, Palghar by M/s. DDPL Global Infrastructure Pvt Ltd
75)	Proposed advertising hoarding in the compound of Bombay Taximens CHSL, on Plot No. 306, L.B.S. Marg, Kurla (W), Mumbai by M/s. Bombay Carbon & Metcaps Pvt Ltd.
76)	Proposed extension of swimming pool on plot bearing C.S. No. 4/47, Plot No. 11, L.J. Marg at Worli Division, Worli, Mumbai by M/s. National Sports Club of India
77)	Proposed electric meter connection at Shree Saidham Dr. Babasaheb Ambedkar Nagar, Borivali (W), Near Gorai Bridge, Mumbai by Shri. Patiram Sanju Pal & Others
78)	Proposed construction of residential building on plot bearing Gut No. 95/1 (old S. No. 48) of mauje Darshet, Tal. & Dist. Palghar by Smt. Mugdha Vitthal Bijve



79)	CRZ Status of project site bearing CTS No. 18/738 situated at ML Dahanukar Marg, Mumbai by M/s. Mah-Hill Properties Pvt Ltd
80)	CRZ status of project site bearing Survey No. 136/2, 3, 5, 7.....etc of village Kolshet & Kavesar, Tal & Dist. Thane by M/s. Roma Builders Pvt. Ltd.
81)	Proposed construction of residential building on plot no. 83, Sector No. 1, Ghansoli, Navi Mumbai by Shri. Nitin Ambalal Bhavsar
82)	Proposed addition and alteration to existing residential building on plot bearing CTS No. D/1111/2 of Union Park Road, situated in H/West, Khar (W), Mumbai by M/s. Premnath Balkrishna
83)	Proposed development of plot bearing S. No. 10/1, 10/2B, 10/4B, 10/5B, 10/5D, 19/1B,.....101/3B, 104/16(P) of village Balkum, Dist. Thane by M/s Agile Real Estate Pvt. Ltd.
84)	Proposed laying of cable for electricity at Vichare compound, Yogi Nagar, Borivali (W), Mumbai by Shri. Nitin Vichare
85)	Proposed excavation of land to lay cable, erection of substation and establish distribution network system to provide electric connection to the occupants at CTS No. 6/1 at Indira Nagar, Janta Nagar, New Mandala, Makhurd, Mumbai by M/s. Reliance Energy
86)	Proposed Holiday Resort on plot bearing S. No. 37/2 at mouje Bhalivali, Tal. Vasai, Dist. Palghar by Shri. Pranav Ramchandra Deshmukh
87)	Proposed redevelopment of existing residential building on plot bearing CTS No. C/609 at St. Paul's Road, Village Bandra, Bandra (W), Mumbai by Mr. Lionel Joseph Pereira
88)	Proposed stack parking in existing Hotel building on plot bearing CTS No. 867 of village Juhu Tara Road, Vile Parle (W), Mumbai by Shri. Surendra Prabhu
89)	Proposed construction of Farm House on plot bearing Survey No. 24, mouje Saiwan, Tal. Vasai, Dist. Palghar by Mr. Dhananjay Vithal Gawade
90)	CRZ status of project site bearing S. No. 160/58, 194 of mouje Pam Tembhi of Tal. & Dist. Palghar by M/s Rishabraj Infra Pvt. Ltd.
91)	Utilisation of FSI of water body / Nalla reservation (CRZ i) on plot bearing S. No. 57 (pt) & 34 (pt) of Tivri Village, Vasai, Tal. Vasai, Dist. Palghar by DDPL
92)	CRZ status of project plot no. 50, Sector 17, Roadpali, Kalamboli, Navi Mumbai by M/s P. S. Govindarajan
93)	Utilisation of FSI of Water body / Nalla reservation (CRZ-I) on plot bearing S. No. 62/1, 65, 273, 274/2, 278/2, 279, 280/1 to 5 of village Gokhivare, Tal. Vasai, Dist. Palghar by M/s. Devendra R. Ladhani
94)	Permission for filling in land bearing S. No. 85/2 corresponding CTS No. 1578 of village Eksar, Tal. Borivali, Mumbai by Shri. Ghanshyam H. Rander
95)	Proposed advertising hoarding on the terrace of cadel queen co-operative Hsg. Soc. Ltd. 'A' wing 19 A, SVS Raod, Mahim., Mumbai by M/s Network Displays
96)	Proposed advertising hoarding on unipole of size 30 x 20 in the compound of Ekveera Apartm;ent CHS Ltd. 368, Veer Savarkar Marg, Dadar, Mumbai by M/s On Media LLP
97)	Proposed advertising hoarding on the terrace of cadel queen co-operative Hsg Soc Ltd. 'B' wing 19 A, SVS Road, Mahim, Mumbai by M/s Network Displays
98)	CRZ status of project site bearing CTS No. 591 of Bandra A village, D' monte Road, Bandra (W), Mumbai by M/s Engitech Developers
99)	CRZ status of project site bearing CTS No. 294 & 295, Bandra Reclamation, H/W ward, Bandra (W), Mumbai by Shri. Ravindra Madhav Deshpande



100)	CRZ status of project site bearing F. P. No. 659 of TPS III Mahim Division, Kapad Bazar, Mahim, Mumbai by M/s Designer's Point
101)	Proposed 2 advertising hoarding in the collectors land on plot bearing CTS No. 629 & 8 at Parighakhari, Nr. Nandadeep Garden, Bandra € , Mumbai by M/s Options Advertising Company
102)	Proposed 4 advertising hoarding in the collectors land plot bearing CTS No. A792 at Bandra Reclamation, Bandra (W), Mumbai by M/s Options Advertising Company
103)	Proposed 4 advertising hoarding in the collectors land plot bearing CTS No. A792 at Bandra Reclamation, Bandra (W), Mumbai by M/s Orbit Advertising
104)	Proposed additional two floors on the existing ground + 9 floors in new Hostel Building at LBS Collage Hay Bunder Sewri, Mumbai
105)	CRZ Status of property bearing CTS No. 1A/1/B/6A and 1A/1/B/6B of village Goregaon situated at Link Road, Goregaon (W), in P / South Ward, Mumbai by M/s. Silver Moon Constructions Pvt Ltd
106)	Proposed reconstruction of existing residential bungalow on plot bearing CTS No. 1719/7, plot no. 5, S. No. 151, H. No. 1 (pt B) at village Yerangal, Tal. Borivali, Malad (W), P/N ward, Mumbai by M/s Anil R. Patil
107)	CRZ status of project site bearing CTS No. 194A (pt) of Ghatkoper village at N ward, Ramabai Colony, Ghatkoper €, Mumbai by M/s Chouhan Builders India Housing Development Pvt. Ltd.
108)	Proposed residential building on plot bearing S. No. 39/1/3 at mouje Vangaon, Tal. Dahanu, Dist. Palghar by Shri. Jayantilal Govardhan Kansara
109)	Proposed residential cum commercial building on plot bearing Gut No. 8 & 9, mouje Saphale, Tal & Dist. Palghar by Shri. Virendra S. Patel
110)	Proposed construction of temporary structure in CRZ III portion of our property bearing S, No. 221 (pt), CTS No. 532 (pt) situated at Village Eksar, Yoginagar, Borivali, Mumbai by M/s Ecohomes Constructions Pvt. Ltd.
111)	Proposed redevelopment of residential building on plot bearing CTS No. 340 of village Juhu, N.S. Road No. 12, JVPD Scheme, Vile Parle (W), Mumbai by Shri. Himanshu B. Kanakia
112)	Proposed construction of residential and commercial complex on plot bearing S. No. 46/1 & 2, 47/1/A, 1B (A), 2A, 3, 4, 49 (pt), 51/1 & 2, 52/1A of village Varap, Tal. Kalyan, Dist. Thane by Shri. Anil Nirgude


 Director (Environment)
 & Member Secretary (MCZMA)

अधिकार आहे. वादीने याकामी हजर केलेल्या फोटोंच्या अवलोकनावरून प्रतिवादींचे बांधकाम वेगात सुरु असल्याचे दिसून येते. त्यामुळे वादीच्या मागणीप्रमाणे तूर्तातूर्त ताकीद देवून सदर बांधकाम वेळीच थांबवले नाही तर वादीच्या न्याय्य हक्कावर गदा येणार असून वादीला न्याय मिळण्यास अडचण निर्माण होणार असल्याचे व दिरंगाई होणार असल्याचे दिसून येते. त्यामुळे मी सर्व मुद्यांची उत्तरे होकारार्थी देते व खालीलप्रमाणे आदेश देते -

आ दे श

१. अर्ज खर्चासह मंजूर करण्यात येतो.
२. हर्णे आंजर्ले रस्त्यापासून दावा कलम १क या म्हणजे सव्हे नंबर २१५/१०/अ या मिळकतीतून वादीच्या सव्हे नंबर २१५/१४ या मिळकतीत ये जा करण्यासाठी असलेल्या १२ फूट रुंद व ८५ फूट लांब रस्त्याच्या वादीच्या वापरास प्रतिवादींनी स्वतः अगर इतरांमार्फत हरकत अडथळा करु नये अशी प्रतिवादींना तूर्तातूर्त ताकीद देण्यात येते.
३. तसेच प्रतिवादींनी पर्यावरण खाते व मेरीटाईम बोर्ड यांची परवानगी घेतल्याशिवाय सव्हे नंबर २१५/१३/अ या मिळकतीत स्वतः अगर इतरांमार्फत कोणतेही बांधकाम करु नये अशी त्यांना तूर्तातूर्त ताकीद देणेत येते.

सही/-

(अ.ग.बेहेरे)

दिनांक - ०२/०५/२०१७.

ठिकाण - दापोली.

दिवाणी न्यायाधीश क.स्तर

दापोली.



CERTIFICATE

R.C.S. No. 42/2017.

I affirm that, the contents of this pdf file judgment are same, word for word as per original judgment.

Name of Stenographer :- R.K.Sangare.
Court Name :- A. G. Behere,
C.J.J.D.& J.M.F.C.,
Dapoli.
Date of Decision :- 02/05/2017
Order directly :- 02/05/2017
dictated on Computer on
Order signed by P.O. on :- 02/05/2017
Order uploaded on :- 02/05/2017



The proceeds have been given to defendant no.3 for development. But according to the plaintiff, the defendants have not obtained the permits of the Environment Agency and the Maritime Board for the said construction and therefore the entire work of the said development is illegal. The plaintiff has produced a set of documents obtained under RTI regarding the said construction at serial number 16 along with mark 7. At Page No 167 therein, the Assistant Town Planner stated that Survey No. 215 at Mauje Harne is within 200 to 500 meters from the HTL line, as per the Coastal Zone Notification, after obtaining the prior permission of the Maharashtra Coastal Zone Management Authority, Environment Department, Permission from Collector Ratnagiri has to be taken as per report dated 30/09/2016 and that permission for development is mandatory. However it appears that on 24/10/2016, Sub Divisional Officer Dapoli has given permission for the said development without taking any prior permission. Thus, prima face it appears that the construction which the defendants are trying to do is illegal. As the adjacent occupier of the property in which such legal construction is taking place and as the owner of the property in which the said construction is being encroached upon the plaintiff is fully authorised to object to the said construction and to secure his own rights and rights

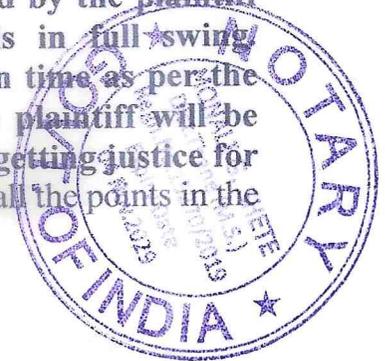
8 Re.Mu.No. 42/ 2017

has the right A perusal of the photographs submitted by the plaintiff shows that the construction of the defendants is in full swing. Therefore, if the said construction is not stopped on time as per the demand of the plaintiff, then the just right of the plaintiff will be affected and it is seen that there will be difficulty in getting justice for the plaintiff and there will be delay. I therefore answer all the points in the affirmative and order as follows-

Order

1. The application is allowed with costs.

2 The defendants forth with order the defendants not to obstruct the use of the plaintiff's 12 feet wide and 85 feet long road from Herne Anjarle road to claim section 1A i.e. the property in Survey No. 215/10/A to the plaintiff's property in Survey No. 215/14. A warning is given.



3 Also, the defendants are hereby warned not to carry out any construction by themselves or through others in Survey No. 215/13/A without obtaining the permission of MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY and Maritime Board.

Level

Correct/
(A.G.
Behere) Civil Judge c.

Dapoli

Dated 02/05/2017
Place - Dapoli

