

1037

**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL, WEST ZONE AT PUNE**

Appeal no. 20/2022 (WZ)

I. A. no. 63/2022(WZ) & I. A. no 64/2022 (WZ)

Paul Lobo & ors.

...Appellantss(s)

Versus

Goa Coastal Zone Management

Authority & ors

...Respondent(s)

ADDITIONAL AFFIDAVIT

MAY IT PLEASE YOUR LORDSHIP:

1. I say that in compliance with the order passed by this Hon'ble Tribunal on 19/04/2024, the Appellants has filed an affidavit dated 20/04/2024, copy of which is served on the Respondent No. 2 on 21/04/2024 at 1:09pm.

M. Lobo



- 1058
2. I say that in the said affidavit filed by the Appellants there are certain incorrect attributions made against the Respondent No. 2 , besides there are certain averments which are factually incorrect, as such I am advised to file this affidavit in rebuttal which I hereby do.
3. At the outset I deny each and every attributions and allegations made by the Appellants in their affidavit dated 20/4/2024 as being false and motivated . I say that though the Appellants in the initial paragraphs of the affidavit have acknowledged the fact that by inadvertence notice of preponement of hearing was left to be addressed to the advocate representing this Respondent No. 2, however in the subsequent part of the Affidavit , Appellants choose to justify as to how the email addressed to soaresandassociates constitute valid service on respondent no 2 and whilst doing so choose to make allegations against this respondent which is unwarranted in the context of the facts of the present Appeal.
- M. J. J.
- 

4. I say that on going through the affidavit filed by the Appellants before this Hon'ble Court it appears that the Appellants, inspite of being aware of the fact that no notice was addressed to the Respondent or to its lawyer intimating about preponement of hearing, is trying to justify and insist that the service has been done on the Respondent No. 2 which is factually incorrect.
5. I say that without making any attributions against the Appellants and still believing that omission to send email to the advocate for the Respondent No. 2 or to the Respondent No. 2 intimating about the hearing was by sheer inadvertence, I most respectfully state that the attributions made in para 13 of the affidavit is totally unwarranted, uncalled for and exhibits unfair and litigious conduct of the Appellants.
6. I say that, whilst denying contents of the said affidavit, I most respectfully state that on 18th April 2024 at 4:19pm, the advocate for this Respondent namely Adv S. Karpe received an email from this Hon'ble Tribunal circulating the link of the above said matter scheduled

for 19th April 2024. Said mail was sent on the email id of the advocate appearing for this Respondent namely karpeandassociates@gmail.com.

7. I say that on receipt of the said email the advocate for the Respondent namely Adv S Karpe contacted the advocate for Appellants over telephone and intimated the advocate for the Appellants that neither this Respondent nor the advocate for the Respondent was ever intimated about preponement of hearing. The advocate for the Appellants was also intimated that the advocate for the Respondent No. 2 would not be in position to proceed with the matter on 19/04/2024 due to last minute intimation.

8. I say that on behalf of the Respondent No. 2 an email was also sent by the advocate for the Respondent No. 2 to the advocate for the Appellants and also to this Hon'ble Court indicating the said fact. Copy of the said email is annexed hereto as annexure A. I say that on the date of hearing on 19/04/2024 I had also joined the Video Conferencing for said hearing.

M. Karpe



1041

9. I say that it is matter of fact that when the matter was called out on 19th April, on behalf of the Appellants statement came to be made that by inadvertence the advocate for the Respondent No. 2 was left to be intimated about the preponement of the hearing. In fact, this Hon'ble Court expressed displeasure over the same and suggested that the original date given on 31/05/2024 be retained. I say that at that point of time on behalf of the Appellants, it came to be submitted that the respondent no 2 was intimated about the preponement of hearing and that service was affected on respondent no 2 at soares88@gmail.com interalia claiming that the permissions granted by the authorities makes reference to soaresandassociates.

10. I say that there is no dispute that initially in the year 2022, notice was served on Mr. Brian Soares who as a matter of fact intimated the respondent no 2 about such service at that point of time. I say that on being served with the notice, the Respondent No. 2, engaged the services of advocate S Karpe who filed the Wakalatnama before this Hon'ble Court. In the said

1042

Wakalatnama office address, email id and phone number of the advocate representing the Respondent No. 2 has been mentioned . I say that as the defendant no 2 had engaged an Advocate to represent them before this Honble Court there is no reason as to why any mail would be addressed to Mr. Soares who is not connected with the legal matter pending before this Honble Tribunal .

11. I say that it is a matter of record that after engaging the services of the Advocate to represent respondent no 2 , reply/affidavit filed on behalf of this Respondent in main appeal is served on the Appellants through the email of their Advocate i.e karpeandassociates@gmail.com. I say that Similarly on behalf of the Appellants additional affidavit in rejoinder also came to be served on 07/09/2022 on the same email id i.e karpeandassociates@gmail.com. I say that again on 18/10/2022 on behalf of the Appellants email came to be addressed on the advocate for the Respondent No. 2 on the email id karpeandassociates@gmail.com to share the copy of

M. Prasad



the affidavit. Thereafter on 01/10/2023 the Appellants addressed an email attaching the copy of the rejoinder filed in the above said proceedings. Said email is also addressed to the advocate for the Respondent No. 2 at karpeandassociates@gmail.com.

12.I say that since the time the respondent no2 is represented by a Lawyer in these proceedings, replies/affidavits and other correspondence to be filed in the present proceedings either on behalf of the Appellants or Respondents were served on the email by the advocate for the Respondent No. 2 to the advocate for the Appellants from email id karpeandassociates@gmail.com, similarly replies and or rejoinders which are furnished by the Appellants are also received by the advocate for the Respondent No. 2 at karpeandassociates@gmail.com.

13.I say that reply which is filed on behalf of the Respondent No. 2 to the application for condonation of delay is also served on the Appellants through email of their advocate i.e from karpeandassocites@gmail.com.

Manoj

14. I say that on 9/1/2023 copy of the additional affidavit in rejoinder came to be served on the same email id i.e karpeandassociates@gmail.com. On 24/7/2023 on behalf of the Appellants email came to be sent to the advocate representing Respondent No. 2 with a request of pagination of all pleadings, said email is also addressed to karpeandassociates@gmail.com.
15. I say that the above said facts indicates that all these while replies, rejoinders and other requisitions were shared on email id of the advocate representing the respondent no. 2, Except for email dated 5/4/2024 seeking preponment. Annexed hereto and marked as Annexure B colly are the trailing mails.
16. It is pertinent to note that the email dated 5/4/2024 which is apparently an intimation for preponement of the matter is neither addressed to the Respondent No. 2 nor to the advocate for the Respondent no. 2, though all earlier mails referred to above were, marked to Adv S Karpe.



17. I say that as a matter of fact Respondent No. 2 have not received any intimation of receipt of any email from Mr Soares on 5/4/2024.

18. I say that Mr Bryan Soares is an Architect by profession who had assisted the respondent no 2 in obtaining permissions from the competent authorities. I say that during the said period, as Mr Soares was following the approval/permissions with the authorities, address of Mr Soares was shared with the authorities for the sake of convenience as queries if any of the authorities from the technical point of view were to be addressed by Mr Soares. It is in this context that the permissions referred by the Appellants in their Affidavit makes reference to his office address. I say that merely because the address of Mr Soares is reflected in permissions, that by itself would not give locus to the Appellants to serve this Respondent through Mr Soares when the Appellants are fully aware of the fact that the respondent no 2 is a Private Limited Company. It may be pertinent to take



Manoj

note of the fact that said Mr. Bryan Soares is neither the shareholder of the Respondent No. 2 nor the director of the Respondent no. 2 nor the authorized signatory. I say that in any event and as a matter of fact, Mr Bryan Soares due to his ill health is not regular even in his office. To my knowledge Mr. Soares has undergone two major surgeries one at the end of the year 2022 and one in year 2023.

19. I say that attributions made by the Appellants at para 10 of the Affidavit referring to the hearing of 26/02/2024 is specifically denied. I say that on 26/2/2024 hearing of the above matter was scheduled before this Honble Court. The Advocate for the respondent appeared in the matter without being aware that the said matter was postponed to a future date. The conclusions sought to be drawn by the Appellants in para 10 are factually incorrect and are specifically denied. I say that except for the intimation of the receipt of the first notice in the year 2022 , Mr Brian Soares has at no point of time ever intimated the Respondent no2 of receipt of any email either from this Hon'ble Court or from the Appellants.



20. I say that Respondent No. 2 is a company incorporated under the provisions of the Companies Act having its registered office at Plot No. Sy No.246/1 Anjuna Bardez Street No Vagator Village Landmark Anjuna Mapusa North Goa 403509 and email id sanjeevreena90@yahoo.com as available on the website of the ministry of corporate affairs. Annexed hereto and marked as Annexure C is the copy of the details as available on website of Ministry of Corporate Affairs. I say that in view of what is stated above , cause title as regards the respondent no 2 needs to be corrected / amended by the Appellants so as to avoid unwanted controversies . I say that it is by inadvertence that the said fact skipped the attention of respondent no 2 though in the reply filed in the main Appeal this respondent has categorically averred that the respondent no 2 is a private Limited Company. The respondent no 2 ought to have noticed the said discrepancy in the cause title at the first instance. The Respondent no 2 tenders apology before this honble Court for having not noticed the same and having not

brought the said defect to the notice of this Honble Court at the earlier point of time . I say that the Appellants ought to have given correct description of the respondent no 2 in the cause title, respondent no2 being a company .

21.I say that contents of the affidavit dated 20/04/2024 filed by the Appellants which are not admitted and which are contract to what is stated herein above may be taken as specially denied.

Place: Pune

Manoj Mehani
RESPONDENT NO 2

Date: 22.04.2024

Manoj Mehani
ADV RESPONDENT NO 2

AFFIDAVIT

I, Manoj Kumar Mehani, authorised representative of the Respondent, being conversant with the facts and circumstances of the present case on solemn affirmation do hereby state that contents of the foregoing paragraph no. 1,5, 6(Part), 7(Part), 8 to 21 are facts true to my personal



knowledge and whatever stated in contents of para 6(Part) and 7(Part) are statement of fact based on information furnished by Advocate for respondent no 2 which I believe to be true and correct.

Solemnly affirmed at Puna On 22nd April 2024)

Mangimshaw
DEPONENT

IDENTIFIED BY
P. J. Yelwande
ADVOCATE



P. J. Yelwande
BEFORE ME
P. J. YELWANDE
NOTARY GOVT. OF INDIA
PUNE.

22 APR 2024

Noted and Registered
at Serial Number 840
Date 22-4/2024



1116

1050 Annur A



somnath karpe <karpeandassociates@gmail.com>

Fwd: Intimation of pre-ponement of date of hearing in IA 63 OF 2022 in Appeal 20 of 2022

4 messages

Thu, 18 Apr at 6:18 PM

Ronita Bhattacharya <ronita.b6@gmail.com>
To: karpeandassociates <karpeandassociates@gmail.com>

Hello sir,

Please see the trailing email sent to the NGT

Regards,

Ronita

Begin forwarded message:

From: Ronita Bhattacharya <ronita.b6@gmail.com>
Subject: Re: Intimation of pre-ponement of date of hearing in IA 63 OF 2022 in Appeal 20 of 2022
Date: 18 April 2024 at 9:37:45 AM IST
To: National Green Tribunal Pune <ngt-pune@gov.in>, NGT-WESTERN ZONE BENCH PUNE <punengtwzb@gmail.com>
Cc: Deepak Gupte <advgupte@gmail.com>, gopal.officeofshirinkhajuria@gmail.com, goacoastalzone@gmail.com, ce-wrd.goa@nic.in, soares88@gmail.com, dhruv@anturkar.com

Dear Sir,

Please note that vide the trailing email dated 5th April at 4.47 pm I had informed all the Respondents that the Hon'ble NGT had been pleased to de-reserve the matter from the stage of final hearing and was pleased to list the matter for condonation of delay on 19.04.2024.

The Registry of the NGT had been cc-ed to the said email, wherein it was also stated that a copy of the said email will be used to show advance notice to the Respondents of the next date of hearing of the captioned Appeal being 19.04.2024 for the purpose of condonation of delay

Therefore kindly take note of the fact that the Respondents have been informed in advance, on the date on which the Hon'ble NGT was pleased to allow the pre-ponement itself, of the listing of the captioned Appeal for the purpose of condonation of delay.

Regards,

Ronita Bhattacharya Bector

Advocate, High Court at Bombay
17, 1st Floor, Rohit Chambers,
Janmabhoomi Marg, Fort,
Mumbai 400001.
Mobile: 9920097464

[Due to network issues in the Fort area of Mumbai, please call me on WhatsApp in any urgent situation]

1117

1051

BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT PUNE
APPEAL NO. 20 OF 2022
WITH
IA NO. 63/2022

AND

IA NO. 64/2022

Paul Lobo and Ors) Appellants
Versus
Goa Coastal Zone Management Authority and Anr)...Respondents

Dear Sir,

Please note that vide the trailing email dated 5th April at 4.47 pm I had informed all the Respondents that the Hon'ble NGT had been pleased to de-reserve the matter from the stage of final hearing and was pleased to list the matter for condonation of delay on 19.04.2024.

The Registry of the NGT had been cc-ed to the said email, wherein it was also stated that a copy of the said email will be used to show advance notice to the Respondents of the next date of hearing of the captioned Appeal being 19.04.2024 for the purpose of condonation of delay

Therefore kindly take note of the fact that the Respondents have been informed in advance of the listing of the Nova matter

Regards,

Ronita Bhattacharya Bector

Advocate, High Court at Bombay
17, 1st Floor, Rohit Chambers,
Janmabhoomi Marg, Fort,
Mumbai 400001.
Mobile: 9920097464

[Due to network issues in the Fort area of Mumbai, please call me on WhatsApp in any urgent situation]

On 05-Apr-2024, at 4:46 PM, Ronita Bhattacharya <ronita.b6@gmail.com> wrote:

BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT PUNE
APPEAL NO. 20 OF 2022
WITH
IA NO. 63/2022

AND

IA NO. 64/2022

Paul Lobo and Ors) Appellants
Versus
Goa Coastal Zone Management Authority and Anr) Respondents

1118

1054

1052

Please note that the captioned Appeal was mentioned this morning before the Hon'ble NGT. The Hon'ble NGT was inclined to de-reserve the matter from the stage of final hearing and was pleased to list the matter for condonation of delay on 19.04.2024.

Please note that a copy of this email will be used to show advance notice to the Respondents of the next date of hearing of the captioned Appeal being 19.04.2024 for the purpose of condonation of delay. You maybe present if you so desire.

Regards,

Ronita Bhattacharya Bector

Advocate, High Court at Bombay
17, 1st Floor, Rohit Chambers,
Janmabhoomi Marg, Fort,
Mumbai 400001.
Mobile: 9920097464

[Due to network issues in the Fort area of Mumbai, please call me on WhatsApp in any urgent situation]

On 04-Apr-2024, at 11:40 AM, Ronita Bhattacharya
<ronita.b6@gmail.com> wrote:

To,
The Hon'ble Registrar,
National Green Tribunal, Western Zone Bench
New Administrative Building, D-Wing,
1st floor, Opposite Council Hall, Camp,
Pune, Maharashtra 411001

**BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT PUNE
APPEAL NO. 20 OF 2022
WITH
IA NO. 63/2022**

AND

IA NO. 64/2022

**Paul Lobo and Ors) Appellants
Versus
Goa Coastal Zone Management Authority and Anr)...Respondents**

Kindly allow the advocate for the Appellant to mention the captioned Appeal before the Hon'ble NGT, Western Zone Bench at 10.30 am on Friday 5th April 2024 to request an earlier fixed date of hearing in terms of the praecipe attached to this email.

The captioned Appeal was last listed at Sr No. 10 of the causelist of the Hon'ble NGT on Monday 26th February 2024 wherein it was noted that the

1053
1119

hearing. Due to the urgency in the matter the Appellants pray that the IA no of 64 of 2022 for interim relief and the IA No 63 of 2022 for condonation of delay be heard on any convenient early date, or that the Appeal be heard finally on any convenient date.

All of the Respondents in the present matter have been copied to the present Appeal in order to provide them advance notice of the mentioning of the captioned Appeal at 10.30 am on Friday 5th April 2024

Regards

Ronita Bhattacharya Bector

Advocate, High Court at Bombay
17, 1st Floor, Rohit Chambers,
Janmabhoomi Marg, Fort,
Mumbai 400001.
Mobile: 9920097464

[Due to network issues in the Fort area of Mumbai, please call me on WhatsApp in any urgent situation]
<PaulLoboMentioning-2.pdf>

On 25-Feb-2024, at 11:35 AM, Ronita Bhattacharya
<ronita.b6@gmail.com> wrote:

To,
The Hon'ble Registrar,
National Green Tribunal, Western Zone Bench
New Administrative Building, D-Wing,
1st floor, Opposite Council Hall, Camp,
Pune, Maharashtra 411001

**BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT
PUNE**

APPEAL NO. 20 OF 2022

WITH

IA NO. 63/2022

AND

IA NO. 64/2022

Paul Lobo and Ors) Appellants

Versus

**Goa Coastal Zone Management Authority and Anr
)...Respondents**

The captioned Appeal is listed at Sr No. 10 of the causelist of the Hon'ble NGT on Monday 26th February 2024 wherein it is noted that the captioned Appeal will be adjourned and listed on 31st May 2024 for further hearing.

1054

1120

Kindly allow the advocate for the Appellant to mention the captioned Appeal before the Hon'ble NGT, Western Zone Bench at 10.30 am on Monday 26th February 2024 to request an earlier fixed date of hearing in terms of praecipe attached to this email.

All of the Respondents in the present matter have been copied to the present Appeal in order to provide them advance notice of the mentioning of the captioned Appeal at 10.30 am on Monday 26th February 2024

Regards

Ronita Bhattacharya Bector

Advocate, High Court at Bombay
17, 1st Floor, Rohit Chambers,
Janmabhoomi Marg, Fort,
Mumbai 400001.
Mobile: 9920097464

[Due to network issues in the Fort area of Mumbai, please call me on WhatsApp in any urgent situation]

<PaulLoboMentioning (1).pdf>
<Appeal 20_2022 (28-07-2023).pdf>

On 20-Jul-2022, at 9:58 AM, Ronita Bhattacharya
<ronita.b6@gmail.com> wrote:

**BEFORE THE NATIONAL GREEN TRIBUNAL
SITTING AT PUNE
Appeal No. 20 of 2022**

Paul Lobo and Ors).... Appellants
Versus
Goa Coastal Zone Management Authority and Anr
)...Respondents

Attached to this email is a copy of following documents/papers and proceedings in relation to the abovecaptioned appeal before the Hon'ble NGT, Western Zone Bench in which you are Respondents:

1. Appeal
2. Interim Application for urgent interim reliefs
3. Application for condonation of delay
4. Order of the Hon'ble NGT dated 15.07.2022
5. Notice issued by the Hon'ble NGT dated 16.07.2022

103
1121

Please note that a copy of the present email will be utilised to show completion of service upon you. Physical copies will also be served upon you shortly.

The next date of the matter is 25.08.2022, you maybe present if you so desire.

Regards,

Ronita Bhattacharya Bector

Advocate, High Court at Bombay
1st Floor, Masjid Manor Building,
16 Homi Modi Street,
Fort, Mumbai 400023.
Telephone: 022- 22820192
Mobile: 9920097464

01_Complete-Petition_001_165453948...

<01_IA_001_1653909700403.pdf><
01_IA_001_1653909700403.pdf><
01_IA_001_1653909700403.pdf><
01_IA_001_1653909700403.pdf>

karpeandassociates <karpeandassociates@gmail.com>
To: Ronita Bhattacharya <ronita.b6@gmail.com>, National Green Tribunal Pune <ngt-pune@gov.in>, <judicial-
ngt@gov.in>

Thu, 18 Apr at 7:03 PM

Thank You for your mail dated 18/04/2024 which I have received at 6:18PM on my email id karpeandassociated@gmail.com

However, I am sorry to inform you that the trailing mail dated 5th April 2024 which is mentioned by you in your email dated 18th April 2024 is not addressed to me as is apparent from the email ids on which the email dated 5th April 2024 came to be addressed by you intimating about preponement of hearing. Please note that my email id is karpeandassociated@gmail.com.

As I came to know about preponement of hearing pursuant to your email dated 18th April 2024 which is received by me now at 6:18pm, it will be difficult for me to go on with the argument on condonation of delay. As such I will be making a request to the Hon'ble Tribunal tomorrow to fix the hearing on any other date as per the convenience of the Hon'ble Tribunal.

Ref: Reply in Appeal no 20/22 (WZ)

5 messages

karpeandassociates <karpeandassociates@gmail.com>

Thu, Aug 25, 2022 at 10:26 AM

To: goacoastalzone@gmail.com, ce-wrd.goa@nic.in, secy-moef@nic.in, "ronita.b6@gmail.com" <ronita.b6@gmail.com>

Respected,

Kindly find the attached Affidavit in Reply on behalf of Respondent no. 2 along with all the annexures in the Matter of Paul Lobo & ors vs Goa Coastal Zone Management Authority and Ors.

I apologise for the delay in sending this email. E-filing and confirmation of the same consumed some time.

Warm Regards,
Adv. Abhishek Sawant
Somnath B. Karpe and Associates
Panaji-Goa. **Reply Respondent no. 2 in Appeal 20 of 22.pdf**
14781K**karpeandassociates** <karpeandassociates@gmail.com>

Thu, Aug 25, 2022 at 11:59 AM

To: goacoastalzone@gmail.com, ce-wrd.goa@nic.in, secy-moef@nic.in, "ronita.b6@gmail.com" <ronita.b6@gmail.com>

Respected,

In-advertently, PDF containing only 30 pages were shared in the trailing mail and filed with NGT. Kindly find that attached file containing the entire reply.

[Quoted text hidden]

--

Warm Regards,
[Quoted text hidden] **Reply Resp no. 2 in Appeal 20 of 22.pdf**
20737K**karpeandassociates** <karpeandassociates@gmail.com>

Mon, Sep 5, 2022 at 10:00 AM

To: goacoastalzone@gmail.com, ce-wrd.goa@nic.in, secy-moef@nic.in, "ronita.b6@gmail.com" <ronita.b6@gmail.com>

Respected,

Kindly find attached reply on behalf of Nova Resort (Respondent no. 2) to the application for condonation of delay.

[Quoted text hidden]

 **NR NGT REPLY 20220902.pdf**
2145K**Ronita Bhattacharya** <ronita.b6@gmail.com>

Wed, Sep 7, 2022 at 2:18 PM

To: karpeandassociates <karpeandassociates@gmail.com>, soares88@gmail.com
Cc: goacoastalzone@gmail.com, ce-wrd.goa@nic.in, secy-moef@nic.in, Legal Monitoring Cell <lmc.moefcc@gov.in>**BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT PUNE**
Appeal No. 20 of 2022Paul Lobo and Ors)... Appellants
Versus

Goa Coastal Zone Management Authority and Ors) Respondents

Please find attached the rejoinder of the Appellants filed in the captioned matter which will be listed tomorrow before the Hon'ble NGT Pune

Regards,

Ronita Bhattacharya Bector

Advocate, High Court at Bombay
1st Floor, Masjid Manor Building,
16 Homi Modi Street,
Fort, Mumbai 400023.
Telephone: 022- 22820192
Mobile: 9920097464

On 05-Sept-2022, at 10:00 AM, karpeandassociates <karpeandassociates@gmail.com> wrote:

Respected,

Kindly find attached reply on behalf of Nova Resort (Respondent no. 2) to the application for condonation of delay.

On Thu, Aug 25, 2022 at 11:59 AM karpeandassociates <karpeandassociates@gmail.com> wrote:
Respected,

In-advertently, PDF containing only 30 pages were shared in the trailing mail and filed with NGT. Kindly find that attached file containing the entire reply.

On Thu, Aug 25, 2022 at 10:26 AM karpeandassociates <karpeandassociates@gmail.com> wrote:
Respected,

Kindly find the attached Affidavit in Reply on behalf of Respondent no. 2 along with all the annexures in the Matter of Paul Lobo & ors vs Goa Coastal Zone Management Authority and Ors.

I apologise for the delay in sending this email. E-filing and confirmation of the same consumed some time.

Warm Regards,
Adv. Abhishek Sawant
Somnath B. Karpe and Associates
Panaji-Goa.

--

--

Warm Regards,
Somnath B. Karpe and Associates
Panaji-Goa.

--

--

Warm Regards,
Somnath B. Karpe and Associates
Panaji-Goa.
<NR NGT REPLY 20220902.pdf>

 Paul Lobo vs GCZMA - Affidavit in Rejoinder_compressed.pdf
4920K

karpeandassociates <karpeandassociates@gmail.com>
To: Manoj Mehani <manojmehani@gmail.com>

Thu, Sep 8, 2022 at 1:08 PM

1124

1058

On 05-Sept-2022, at 10:00 AM, karpeandassociates <karpeandassociates@gmail.com> wrote:

Respected,

Kindly find attached reply on behalf of Nova Resort (Respondent no. 2) to the application for condonation of delay.

On Thu, Aug 25, 2022 at 11:59 AM karpeandassociates <karpeandassociates@gmail.com> wrote:
Respected,

In-advertently, PDF containing only 30 pages were shared in the trailing mail and filed with NGT. Kindly find that attached file containing the entire reply.

On Thu, Aug 25, 2022 at 10:26 AM karpeandassociates <karpeandassociates@gmail.com> wrote:
Respected,

Kindly find the attached Affidavit in Reply on behalf of Respondent no. 2 along with all the annexures in the Matter of Paul Lobo & ors vs Goa Coastal Zone Management Authority and Ors.

I apologise for the delay in sending this email. E-filing and confirmation of the same consumed some time.

Warm Regards,
Adv. Abhishek Sawant
Somnath B. Karpe and Associates
Panaji-Goa.

--

--

Warm Regards,
Somnath B. Karpe and Associates
Panaji-Goa.

--

--

Warm Regards,
Somnath B. Karpe and Associates
Panaji-Goa.
<NR NGT REPLY 20220902.pdf>

[Quoted text hidden]

Re: Additional Affidavit in Rejoinder in Appeal no 20/22 (WZ)

2 messages

Ronita Bhattacharya <ronita.b6@gmail.com>

Mon, Jan 9, 2023 at 5:09 PM

To: office@anturkar.com, dhruv@anturkar.com, karpeandassociates <karpeandassociates@gmail.com>, soares88@gmail.com, advgupte@gmail.com, goacoastalzone@gmail.com, ce-wrd.goa@nic.in, secy-moef@nic.in, Legal Monitoring Cell <lmc.moefcc@gov.in>, gopal.officeofshirinkhajuria@gmail.com

**BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT PUNE
Appeal No. 20 of 2022**

Paul Lobo and Ors).... Appellants

Versus

Goa Coastal Zone Management Authority and Anr)...Respondents

Please find attached the additional affidavit in Rejoinder in the above captioned Appeal. The matter is to be listed on 11.01.2023, **but the Appellants are seeking listing of the matter on 12.01.2023 instead.**

I undertake to inform you of the next date of listing of the matter before the Hon'ble NGT Pune.

Regards,

Ronita Bhattacharya Bector

Advocate, High Court at Bombay
1st Floor, Masjid Manor Building,
16 Homi Modi Street,
Fort, Mumbai 400023.
Telephone: 022- 22820192
Mobile: 9920097464

On 20-Dec-2022, at 2:56 PM, Ronita Bhattacharya <ronita.b6@gmail.com> wrote:

**BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT PUNE
Appeal No. 20 of 2022**

Paul Lobo and Ors).... Appellants

Versus

Goa Coastal Zone Management Authority and Anr)...Respondents

As requested, the email addresses of the other concerned parties can be obtained from the trailing email below

Regards,

Ronita Bhattacharya Bector

Advocate, High Court at Bombay
1st Floor, Masjid Manor Building,
16 Homi Modi Street,
Fort, Mumbai 400023.
Telephone: 022- 22820192
Mobile: 9920097464

Begin forwarded message:

From: Ronita Bhattacharya <ronita.b6@gmail.com>

Subject: Re: Ref: Reply in Appeal no 20/22 (WZ)

Date: 7 September 2022 at 2:18:14 PM IST

To: karpeandassociates <karpeandassociates@gmail.com>,
soares88@gmail.com, advaunte@gmail.com.

Cc: goacoastalzone@gmail.com, ce-ord.goa@nic.in, secy-moef@nic.in, Legal Monitoring Cell <lmcc.moefcc@gov.in>

1126

1060

**BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT PUNE
Appeal No. 20 of 2022**

Paul Lobo and Ors)... Appellants
Versus
Goa Coastal Zone Management Authority and Anr)... Respondents

Please find attached the rejoinder of the Appellants filed in the captioned matter which will be listed tomorrow before the Hon'ble NGT Pune

Regards,

Ronita Bhattacharya Bector

Advocate, High Court at Bombay
1st Floor, Masjid Manor Building,
16 Homi Modi Street,
Fort, Mumbai 400023.
Telephone: 022- 22820192
Mobile: 9920097464

<Paul Lobo vs GCZMA - Affidavit in Rejoinder_compressed.pdf>

On 05-Sept-2022, at 10:00 AM, karpeandassociates
<karpeandassociates@gmail.com> wrote:

Respected,

Kindly find attached reply on behalf of Nova Resort (Respondent no. 2) to the application for condonation of delay.

On Thu, Aug 25, 2022 at 11:59 AM karpeandassociates
<karpeandassociates@gmail.com> wrote:

Respected,

In-advertently, PDF containing only 30 pages were shared in the trailing mail and filed with NGT. Kindly find that attached file containing the entire reply.

On Thu, Aug 25, 2022 at 10:26 AM karpeandassociates
<karpeandassociates@gmail.com> wrote:

Respected,

Kindly find the attached Affidavit in Reply on behalf of Respondent no. 2 along with all the annexures in the Matter of Paul Lobo & Ors vs Goa Coastal Zone Management Authority and Ors.

I apologise for the delay in sending this email. E-filing and confirmation of the same consumed some time.

Warm Regards,
Adv. Abhishek Sawant
Somnath B. Karpe and Associates
Panaji-Goa.

--

Warm Regards,
Somnath B. Karpe and Associates
Panaji-Goa.

--

Warm Regards,
Somnath B. Karpe and Associates
Panaji-Goa.

<NR NGT REPLY 20220902.pdf>

 Paul Lobo - Additional Affidavit.pdf
3906K

karpeandassociates <karpeandassociates@gmail.com>

Tue, Jan 10, 2023 at 10:55 AM

To: Ronita Bhattacharya <ronita.b6@gmail.com>

Cc: office@anturkar.com, dhruv@anturkar.com, soares88@gmail.com, advgupte@gmail.com, goacoastalzone@gmail.com, ce-wrd.goa@nic.in, secy-moef@nic.in, Legal Monitoring Cell <lmc.moefcc@gov.in>, gopal.officeofshirinkhajuria@gmail.com

We are in receipt of the email dated 09/01/2023 by Adv. for the Appellant in the case of Paul Lobo and Ors V/S Goa Coastal Zone Management Authority and Anr in **Appeal No. 20 of 2022 to reschedule the matter from 11/01/2023 to 12/01/2023** or any other convenient date. However, 12/01/2023 would not be convenient for us (Respondent No.2). Therefore, it is humbly requested that the matter be listed for hearing in next week i.e. week commencing from 16/01/2021 as per the convenience of the Hon'ble Tribunal.

Regards,

Adv. Somnath B. Karpe

[Quoted text hidden]

[Quoted text hidden]

On 20-Dec-2022, at 2:56 PM, Ronita Bhattacharya <ronita.b6@gmail.com> wrote:

BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT PUNE
Appeal No. 20 of 2022

Paul Lobo and Ors)... Appellants

Versus

Goa Coastal Zone Management Authority and Anr)...Respondents

As requested, the email addresses of the other concerned parties can be obtained from the trailing email below

Regards,

Ronita Bhattacharya Bector

Advocate, High Court at Bombay
1st Floor, Masjid Manor Building,
16 Homi Modi Street,
Fort, Mumbai 400023.
Telephone: 022- 22820192
Mobile: 9920097464

Begin forwarded message:

From: Ronita Bhattacharya <ronita.b6@gmail.com>

Subject: Re: Ref: Reply in Appeal no 20/22 (WZ)

Date: 7 September 2022 at 2:18:14 PM IST

To: karpeandassociates <karpeandassociates@gmail.com>,
soares88@gmail.com, advgupte@gmail.com,

Cc: goacoastalzone@gmail.com, ce-wrd.goa@nic.in, secy-moef@nic.in,
Legal Monitoring Cell <lmc.moefcc@gov.in>

BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT PUNE
Appeal No. 20 of 2022

Paul Lobo and Ors)... Appellants

Versus

Goa Coastal Zone Management Authority and Anr)...Respondents

Please find attached the rejoinder of the Appellants filed in the captioned matter which will be listed tomorrow before the Hon'ble NGT Pune

Regards,

Ronita Bhattacharya Bector

Advocate, High Court at Bombay
1st Floor, Masjid Manor Building,
16 Homi Modi Street,
Fort, Mumbai 400023.
Telephone: 022- 22820192
Mobile: 9920097464

<Paul Lobo vs GCZMA - Affidavit in Rejoinder_compressed.pdf>

On 05-Sept-2022, at 10:00 AM, karpeandassociates
<karpeandassociates@gmail.com> wrote:

Respected,

Kindly find attached reply on behalf of Nova Resort (Respondent no. 2) to the application for condonation of delay.

On Thu, Aug 25, 2022 at 11:59 AM karpeandassociates
<karpeandassociates@gmail.com> wrote:

Respected,

In-advertently, PDF containing only 30 pages were shared in the trailing mail and filed with NGT. Kindly find that attached file containing the entire reply.

On Thu, Aug 25, 2022 at 10:26 AM karpeandassociates
<karpeandassociates@gmail.com> wrote:

Respected,

Kindly find the attached Affidavit in Reply on behalf of Respondent no. 2 along with all the annexures in the Matter of Paul Lobo & ors vs Goa Coastal Zone Management Authority and Ors.

I apologise for the delay in sending this email. E-filing and confirmation of the same consumed some time.

Warm Regards,
Adv. Abhishek Sawant
Somnath B. Karpe and Associates
Panaji-Goa.

--

--

Warm Regards,
Somnath B. Karpe and Associates
Panaji-Goa.

--

--

Warm Regards,
Somnath B. Karpe and Associates
Panaji-Goa.
<NR NGT REPLY 20220902.pdf>

1129

Warm Regards,
Somnath B. Karpe and Associates
Panaji-Goa.

1063

1130



11.10
1064 1064
somnath karpe <karpeandassociates@gmail.com>

Sur-rejoinder in Paul Lobo vs GCZMA

1 message

karpeandassociates <karpeandassociates@gmail.com>
To: Ronita Bhattacharya <ronita.b6@gmail.com>

Tue, Oct 18, 2022 at 6:50 PM

Hello,

PFA

Warm Regards,
Somnath B. Karpe and Associates
Panaji-Goa.

 **NGT Reply 20221019.pdf**
2153K

Re: Request for scanned copies of court notice as per order dated 15.07.2022 in Appeal No 20/2022

4 messages

Mon, Jul 24, 2023 at 9:07 AM

Ronita Bhattacharya <ronita.b6@gmail.com>

To: NGT-WESTERN ZONE BENCH PUNE <punengtzb@gmail.com>, National Green Tribunal Pune <ngt-pune@gov.in>
Cc: dhruv@anturkar.com, karpeandassociates <karpeandassociates@gmail.com>, soares88@gmail.com, Deepak Gupte <advgupte@gmail.com>, ce-wrd.goa@nic.in, secy-moef@nic.in, Legal Monitoring Cell <lmc.moefcc@gov.in>, gopal.officeofshrinkhajuria@gmail.com, gczma.crz@gmail.com, office@anturkar.com

**BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT PUNE
Appeal No. 20 of 2022****Paul Lobo and Ors)... Appellants****Versus****Goa Coastal Zone Management Authority and Anr)... Respondents**

Hello Sir,

I am writing to request that the index of pagination of all pleading be shared with me in the captioned matter as the affidavits of some of the Respondents appear to be wrongly numbered. Accordingly, I wish to correct my record/pleadings and also inform the Respondents to do the same.

The captioned matter is scheduled to be listed for final hearing on Friday 28th July 2023.

Regards,

Ronita Bhattacharya Bector

Advocate, High Court at Bombay
1st Floor, Masjid Manor Building,
16 Homi Modi Street,
Fort, Mumbai 400023.
Telephone: 022- 22820192
Mobile: 9920097464

On 19-Jul-2022, at 12:02 PM, Ronita Bhattacharya <ronita.b6@gmail.com> wrote:

**BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT PUNE
Appeal No. 20 of 2022****Paul Lobo and Ors)... Appellants****Versus****Goa Coastal Zone Management Authority and Anr)... Respondents**

Hello Sir,

I am writing to request soft/scanned copies of the notice issued by this Hon'ble Court vide its order dated 15.07.2022 in the Appeal No 20 of 2022

A copy of the order dated 15.07.2022 has been attached to this email. Please do share soft/scanned copy the said notice if possible.

Thank you for your assistance.

Regards,

Ronita Bhattacharya Bector

Advocate, High Court at Bombay
1st Floor, Masjid Manor Building,
16 Homi Modi Street,
Fort, Mumbai 400023.
Telephone: 022- 22820192
Mobile: 9920097464

<15.pdf>

Forwarded message

1132

1066 1077

From: Bryan Soares <soares88@gmail.com>

Sent: Mon, 24 Jul 2023 at 10:18 AM

Subject: Fwd: Request for scanned copies of court notice as per order dated 15.07.2022 in Appeal No 20/2022

Manoj Mehani <manojmehani@gmail.com>

[Quoted text hidden]

Soares & Associates
G-1 Vikas Building
18th June Road
Panjim- Goa
India - 403001
Tel: 0832-2228040

Regards,

Manoj Mehani
9873090565

Karpeandassociates <karpeandassociates@gmail.com>
To: Ronita Bhattacharya <ronita.b6@gmail.com>

Tue, Jul 25, 2023 at 6:59 PM

Respected Colleague,

This is in reference to your trailing email, upon going through the file and pleadings exchanged, it is correct that pagination does not tally properly and there is quite an overlap. If you get the correct index, do share it across. Also note that application for condonation is not yet heard, therefore I do not believe it is listed for final hearing.

[Quoted text hidden]

Warm Regards,
Somnath B. Karpe and Associates
Panaji-Goa.

Ronita Bhattacharya <ronita.b6@gmail.com>

Tue, Jul 25, 2023 at 7:18 PM

To: dhruv@anturkar.com, karpeandassociates <karpeandassociates@gmail.com>

Cc: soares88@gmail.com, Deepak Gupte <advgupte@gmail.com>, ce-wrd.goa@nic.in, secy-moef@nic.in, Legal Monitoring Cell <lmc.moefcc@gov.in>, gopal.officeofshirinkhajuria@gmail.com, gczma.crz@gmail.com, office@anturkar.com

BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT PUNE
Appeal No. 20 of 2022

Paul Lobo and Ors)... Appellants
Versus
Goa Coastal Zone Management Authority and Anr)... Respondents

Below is the record of proceedings as maintained by the Hon'ble NGT in the captioned matter. You are requested to kindly make appropriate corrections to your copies of the pleadings in the captioned matter

Regards,

Ronita Bhattacharya Bector

APPEAL NO. 20/2022(WZ)
PAUL LOBO & 3 ORS. V/S GOA COASTAL ZONE MANAGEMENT AUTHORITY & 3 ORS.
INDEX

1067 1072

FILE-A VOL-1

1.	COMPILATION-I (Synopsis with List of Dates)	A-F
2.	COMPILATION-I (Memo of Appeal with Affidavit)	01-53
3.	COMPILATION-II (Impugned Order)	54-57
4.	COMPILATION-II (Annexure)	58-425

FILE-A VOL-2

4.	PART OF COMPILATION-II (Annexure)	426-716
5.	Interlocutory Application No. 63/2022(WZ) For Condonation of Delay	717-745
6.	Interlocutory Application No. 64/2022(WZ) For Urgent Interim Reliefs	746-760
7.	Affidavit of Servie	761-771
8.	Reply R-2	772-801
9.	Reply of R-2 in IA No.63/2022	802-810
10.	Affidavit-in-Rejoinder 07.09.2022 by Applicant, filed on 07.09.2022	811-851
11.	Affidavit in Sur-Rejoinder by R-2 in IA No.63/2022	852-859
12.	IA No.184/2022 (WZ)	860-873
13.	Affidavit in Reply by R-1	874-883
14.	Additional Affidavit in Rejoinder by Appellant	884-905
15.	Counter Affidavit by R-1	906-946
16.	Additional Affidavit in Rejoinder by Appellant	947-990

1134

Annexure C 1073
1068

Ministry Of Corporate Affairs

Date : 19-04-2024 3:49:49pm

Company Information

CIN	U55101GA1993PTC001348
Company Name	NOVA RESORTS PRIVATE LIMITED
ROC Name	ROC Goa
Registration Number	001348
Date of Incorporation	27/04/1993
Email Id	*****evreena90@yahoo.com
Registered Address	PLOT NO SY NO. 246/1 ANJUNA-BARDEZ STREET NO VAGATOR VILLAGE LANDMARK ANJUN, A, North Goa, MAPUSA, Goa, India, 403509
Address at which the books of account are to be maintained	-
Listed in Stock Exchange(s) (Y/N)	No
Category of Company	Company limited by shares
Subcategory of the Company	Non-government company
Class of Company	Private
ACTIVE compliance	ACTIVE Non-Compliant
Authorised Capital (Rs)	25,00,000
Paid up Capital (Rs)	1,00,000
Date of last AGM	30/09/2023
Date of Balance Sheet	31/03/2023
Company Status	Active

Jurisdiction

ROC (name and office) ROC Goa