

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

Original Application NO. 104 OF 2023 (WZ)

IN THE MATTER OF:-

Charan Bhatt

.....Applicant

Versus

Environment & Climate Change Dept. & Ors.

....Respondent(s)

**AFFIDAVIT FILED BY APPLICANT IN COMPLIANCE WITH ORDER
DATED 11.08.2023 PASSED BY THE HON'BLE NATIONAL GREEN
TRIBUNAL, WESTERN BENCH.**

I, Charan Bhatt, Applicant in the above-mentioned case, hereby submit this Reply Affidavit in response to the query's raised by the Hon'ble National Green Tribunal Western Zone order date: 11.08.2023 in Original Application 104/2023. I deeply respect the National Green Tribunals commitment to environmental protection and its dedication to ensuring that justice is served in matters related to ecological well-being.

In response of para 3, it is clarified that the information presented on page no. 64 of the paper book, which is the 'Record of Rights sheet,' referred as 7/12 extract pertains to the land located in Mauje Waliv, with survey numbers 47/5, 47/7A, 47/7B, 48/6, 48/10, 48/11, and 50/3. The mentioned record indicates that the first owner, Mona Atul Patel, holds a land area of 228.10.00 Are sq mt. The unit of area mentioned in the said record of rights is in the unit of "Are Square meter"

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'Are' is a unit of area commonly used in land records maintained by the revenue department, where 1 Are equals 100 square meters. This clarification confirms that the land area owned by Mona Atul Patel amounts to 22,810 square meters and the second land owner hold area "40.00.00 Are Sq Mt" is equivalent to 4000 square meters. The total land area sum of the two area measurements, 228.10.00 Are Sq Mt and 40.00.00 Are Sq Mt, equals 268.10.00 Are Square Meters equivalent to 26810 square meters.

In response to query para 6 of the order , the applicant has presented evidence to support claim in petition copy and attached the documents about the existence of a pond on the land owned by respondent No.8, including: the land record of rights sheet (Exhibit C - Page 64) recording Mona Atul Patel as the landowner of the specific area; a Non-Agriculture Order (Exhibit A - Page 49) from the Thane Collector confirming ownership dated July 18, 2005, specifying the pond area as 2903.36; respondent no.13 CIDCO department approved development plans on said survey no. 47/5, 47/7A, 47/7B, 48/6, 48/10, 48/11, and 50/3 to the respondent no.10 and 11 in that mentioned pond marking (Exhibits I and J - Pages 90 and 91) that designates the pond location; a yash land surveyor report (Exhibit E at Page 83) mentioned development plan pond marking location and pond area at suvery no.48/6 and some part of 48/10 and 48/11; and Google images of the pond area (Exhibit G - Page 86) providing satellite images. These exhibits and

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collectively reinforce the applicant shows pond existence on respondent No.8 land.

In response to the query para no.7 about respondent no.8, the petitioner has sourced the name, address and firm details of respondent No.8 and No.9 from the commencement certificate (VVCMC/TP/CC/VP-4289/385/2022-23) issued by respondent no.4 Y.Shiva Reddy deputy director of town planning department VVCMC has issued on date 01.11.2022, which is attached as (Exhibit no. E page no. 76) of the petition. The said commencement certificate identifies Mrs. Mona Atul Patel through P.A holder Mr. Mohammad Yusuf Abdul Kureshi, partner of M/s. Sagar Developers M/s. Nirmal Developers, located at Room No. 270, 1st floor Madani complex, A.K. Marg, Bandra, Mumbai.

Based on the evidence submitted, the petitioner has presented a range of documents that reflect clear motive and intention to safeguard the environment. In a previous instance, the petitioner filed a petition (OA Application 32/2021) in the Hon'ble National Green Tribunal (WZ) concerning the violation of solid and liquid waste management and disposal. The case, titled "Charan Ravindra Bhatt vs. Vasai Virar Municipal Corporation and others," underscores the petitioner commitment to addressing environmental concerns and ensuring proper waste management practices. The current submission of documents further highlights the petitioner proactive efforts environmental well-being.



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In light of the aforementioned submissions and the evidence presented, it is respectfully prayed that this Hon'ble National Green Tribunal may kindly be pleased to consider the admission of the petition/application, as it deems appropriate and in the interest of justice.

Date: 22.08.2023

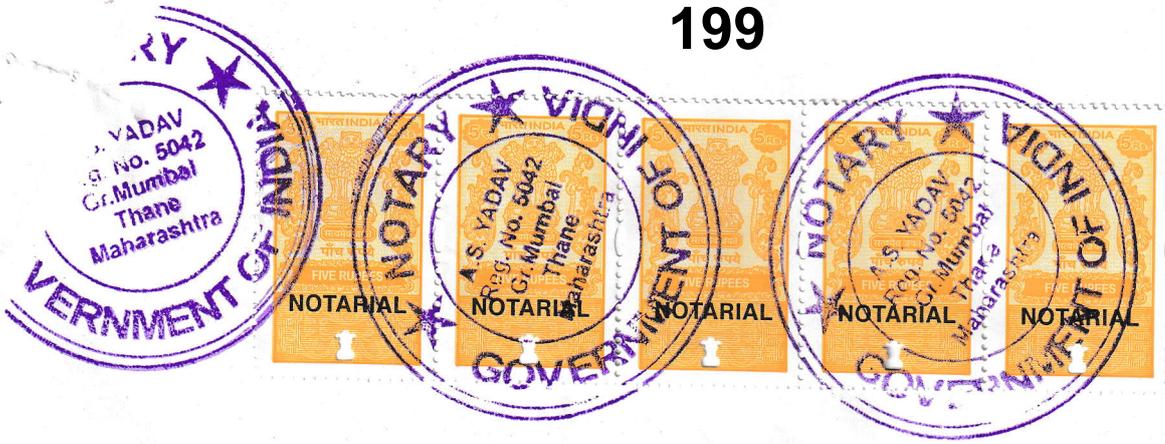
Place: Nalasopara

A handwritten signature in blue ink, appearing to read "Charan Bhatt", is written over the typed name.

Charan Bhatt

Applicant-In-Person



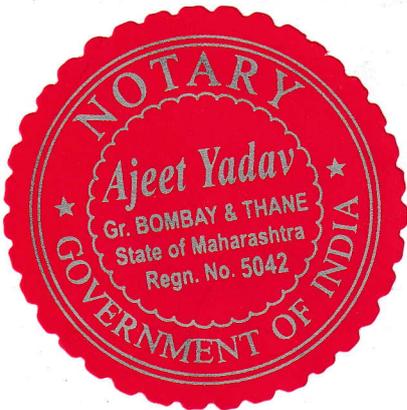


VERIFICATION

I, Charan Bhatt, Age: 32 years, Occupation: business, a student pursuing undergraduate course address at Room no.2 Vartak compound, near akansha tower, achole rd, nalasopara (east)-401209, do hereby state on solemn affirmation that the contents of the aforesaid paragraphs are true and correct to the best of knowledge, belief and information, thus I verify the same and sign over the present petition application on this 22nd day of August,2023

Verified at **August** on this 22nd day of 2023

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Charan Bhatt

Applicant-In-Person

BEFORE ME
Maadaw
22-8.23
AJEET S. YADAV
ADVOCATE & NOTARY
GOVT. OF INDIA

Regi. SL. No.
1327 / 2023