

**BEFORE HON'BLE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH, PUNE**

**ORIGINAL APPLICATION NO. 21 / 2021**

Nirmala Surapaneni	.....	Applicant
<u>VERSUS</u>		
Union of India	.....	Respondents

**AFFIDAVIT BY RESPONDENT NO. 3  
RAVIRAJ CREATIVE ASSOCIATES**

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**MOST RESPECTFULLY SUBMITTED**

1. I, Advocate for Respondent No.3 M/s. Raviraj Creative Associates, am filing this Affidavit for and on their behalf, with their permission and approval.
2. I had visited the site on **29 November 2021**, with the Ld. Adv. Sachin Gore, appearing for Respondent No.2 SRA Pune.
3. I have seen the entire area at the ground level, across the colony of the Applicant and so also from the terrace of the completed buildings in the project.
4. **I could not see any nallah flowing across OR towards the SRA Project site. I could not see the leading end OR the outlet of any other flowing nallah OR water body that could have pre-existed prior to starting the project in the year 2009.**
5. **Existing water stream is very much there, undisturbed on the West side of the Applicants Colony of Bungalows and the very same water stream is leading further, straight on the West Side of the SRA Project as well. Alignment doesn't seem to have changed.**
6. The construction of existing buildings under SRA on the land was completed in the year 2019. **The construction of the said buildings started in the year 2009** and the

**construction of the standing 5 nos. of the building was complete up to plinth level in the year 2010.**

7. On-site I could also see the completed plinths of 04 nos. of buildings that have been completed up to the first floors. Further, it is to be noted that 04 Buildings under the said SRA project are occupied by the Slum Dwellers under the rehabilitation scheme.
8. Respondent respectfully submits that the subject matter of **Nallah is not appeared or shown on 1987-2007 sanctioned Development Plan** by the Municipal Corporation of Pune and hence accordingly SRA sanctioned the said project.
9. The very same applicant was Intervening Party to the Application No. 18/2016 Jyeshtha Nagrik Sangh Viman Nagar VERSUS Union of India through MoEFCC & Others. That application was adjudicated and disposed of and the intervention application also was disposed of with it. It was not allowed and heard. The main issue in the application was the distance of <100m from the airport. The applicants lost the matter in High Court of Bombay, and then also in Supreme Court of India.
10. Respondent No.2 is the project proponent. The project was planned and executed by SRA Pune. Respondent no.3 are the contractor for it. The remuneration/compensation of the construction cost is paid in terms of FSI.
11. Respondent No.3 has not destroyed, altered any pre-existing nallah at the site. Even in future, Respondent No.3 shall not be disturbing any nallah or water body.

Circulated to all by email.

Date: **06-01-2022 1.20 pm**

Place: Mumbai

Filed by:

**Advocate R. B. Mahabal** रघुनाथ भालचंद्र महाबळ

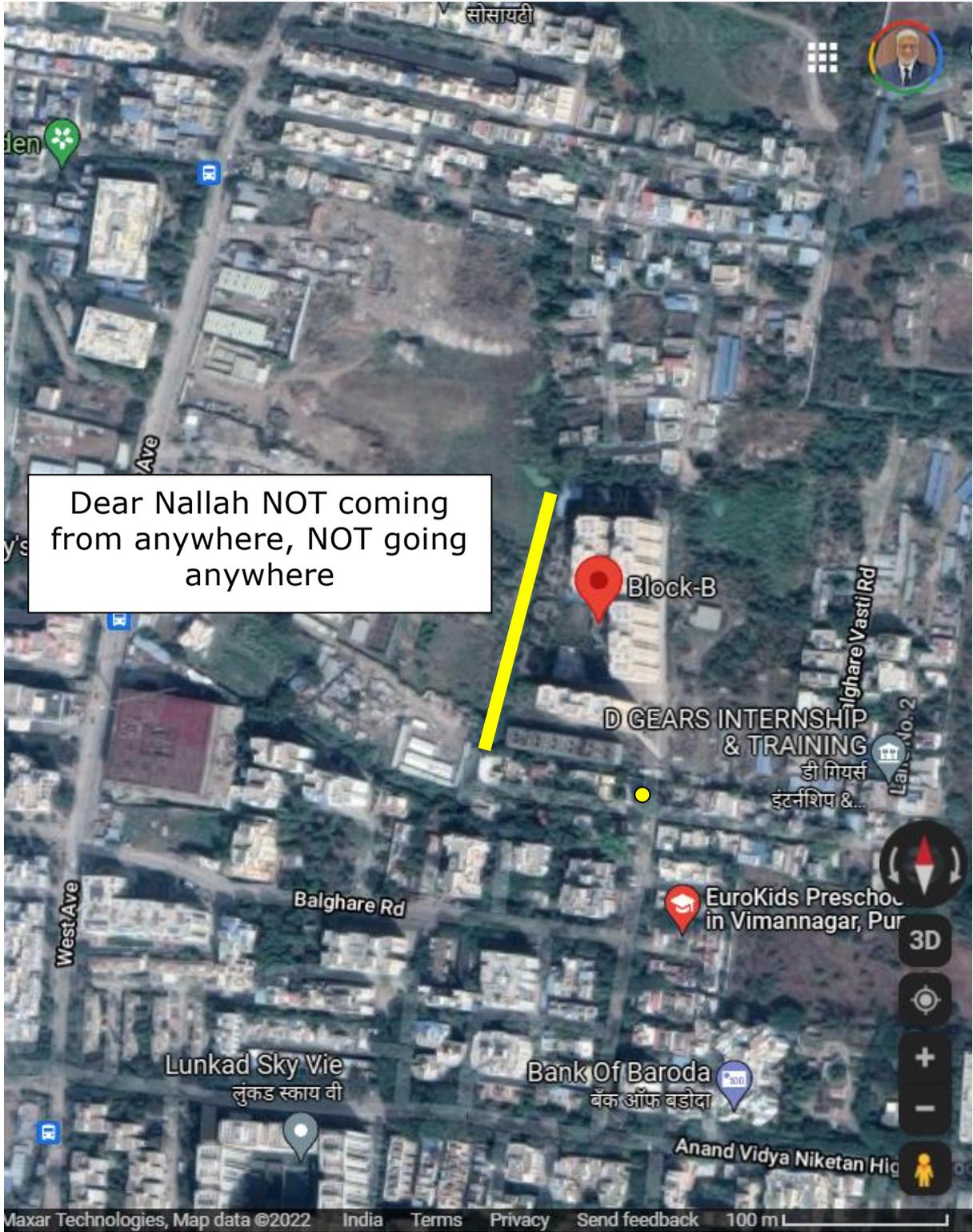
BE(Mech), ME(Prod)VJTI, CE, FIE, LLM, IIE Arbitrator, [MAH/349/2012]

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SRA Project Site



<https://goo.gl/maps/yUKXKShDGacZwSUz7>