

BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE.

Appeal No.633/2025(WZ).

MRS. SHUBHANGI ARUN TORASKAR.

.....APPLICANT.

V/s

GOA COASTAL ZONE MANAGEMENT

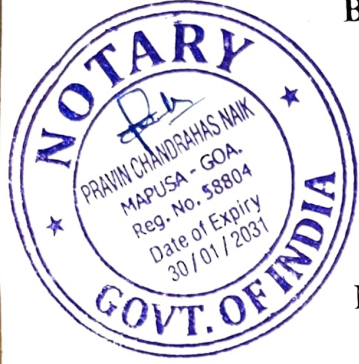
AUTHORITY AND ANR.

.....RESPONDENTS.

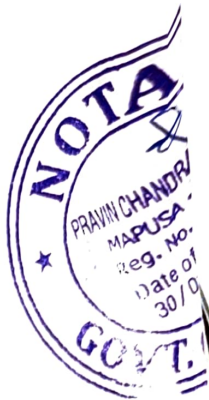
AFFIDAVIT-IN-REJOINDER ON BEHALF OF THE
APPLICANT TO THE REPLY FILED BY THE
RESPONDENT NO.1.

I, MRS. SHUBHANGI ARUN TORASKAR, Wife of late
Shri. Arun Toraskar, 54 years of age, Indian National and R/o
H. No.387/A, Navem Bhat, Dando, Siolim, Bardez-Goa.,
the Applicant above named, do hereby on solemn affirmation
make oath and state as under:

A. Toraskar



1. I say that Respondent No.1 has made statements and/or raised contentions in their Affidavit-in-Reply which requires rebuttal, as such I crave leave of this Hon'ble Court to file present Rejoinder.
2. I reiterate, reaffirm and maintain what is stated in the Petition and deny whatever is contrary and inconsistent to the case set up by me.
3. I say that I have read and understood the contents of Affidavit-in-Reply filed on behalf of the Respondent No.1 and in response to the said Affidavit-in-Reply, I would like to state and submit as under.
4. I specifically deny with reference to Paragraph No.3 of Reply that Respondent No.1 has passed the **IMPUGNED ORDER** after following the principles of Natural Justice, **IMPUGNED ORDER/DIRECTION**, passed/issued by the Respondent No.1, is in gross



A. Toraskar



violation of Principles of Natural Justice in as much as the documents relied by me in response to the Show Cause Notice, are not even considered leave aside giving reasons for rejecting the same.

5. I say that it is evident from the Minutes of the Respondent No.1, that matter before the Respondent No.1 was posted for the arguments on 28/08/2025 at 3.30 p.m., however matter which was scheduled on 28/08/2025 was cancelled and same was listed on 18/09/2025. I say that neither me nor my Advocate was informed nor communicated by the Respondent No.1 that after cancelling meeting which was scheduled on 28/08/2025, same was fixed on 18/09/2025. Therefore proceeding and/or matter which was taken up by the Respondent No.1 was in my absence as well as in the absence of my Advocate and as such decision taken by the Respondent No.1 in its meeting held on 18/09/2025, thereby concluding that my structure is illegal and same

A. Goskar

needs to be demolished, is in gross violation of principles of Natural Justice and Fair Play.

6. I specifically deny with respect to Paragraph No.6 of Affidavit-in-Reply that the Certificate dated 19/06/2024 produced by me, is wholly insufficient to substantiate the claim that the Impugned Structure is pre-1991 construction. It is further specially denied that the location described in the Certificate dated 19/06/2024 is entirely distinct from the subject property where the Impugned Construction has been found.
7. I say that along with present Appeal, IA No.884/2025 was filed by me and by the said Interim Application, I sought leave to produce and rely on Communication dated 04/12/2025 issued by the Village Panchayat of Siolim-Marna as Additional Document in support of my case. This Hon'ble Tribunal vide Order dated 21/01/2026 allowed IA No.884/2025 and accordingly granted leave to me to rely on Communication dated 04/12/2025 issued



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by the Village Panchayat of Siolim-Marna as Additional Document in support of my case.

8. I say that in terms of Communication dated 04/12/2025 issued by the Village Panchayat of Siolim-Marna, it is evident and clear that “Danda”, “Bhilao Hudo” and “Nave Bhat”, are one and the same names of one place in the jurisdiction of Village Siolim, Marna.
9. I say that from the Certificate dated 05/04/1998 (Page 64 of Appeal Memo) issued by the Village Panchayat of Siolim-Marna, it is evident that and rather certified by the Village Panchayat of Siolim-Marna that “there is structure belongs to Shri. Arun Dharma Toraskar, in Survey No.119/1 at Bailohudo, Siolim, Bardez-Goa, which is existing from the year 1990”. This document produced by the me is neither looked into nor same is considered by the Respondent No.1.

A Toraskar



10. I say that Receipt dated 11/01/1989 issued by the Village Panchayat of Siolim-Marna (Page 65 of Appeal Memo), of having received payment from Arun D. Toraskar towards House bearing House No.387/B, is neither looked into nor same is considered by the Respondent No.1. From the Receipt dated 11/01/1989 issued by the Village Panchayat of Siolim-Marna, it is evident that House bearing House No.387/B, is existing since prior to 1991.

11. I specifically deny with reference to Paragraph No.7 of Affidavit-in-Reply that there is clear and material mismatch in the description and location of the property reflected in the documents relied by me, thereby rendering it impossible to correlate the said documents with the subject property. It is further specifically denied that documents produced by me do not in any manner establish that the Impugned Structure existing in the subject property is a structure constructed prior to year



Arun D. Toraskar

1991 and said documents are misplaced and devoid of evidentiary value in establishing the claim of a pre-1991 construction.

12. I specifically deny with reference to Paragraph No.8 of Affidavit-in-Reply that I failed to produce any cogent , reliable and convincing material/documents to show that the Impugned Structure is pre-1991 structure and that I failed to produce any permission from the Respondent No.1 pertaining to the said Impugned Structure. I say that there is no question of producing permission from the Respondent No.1 with respect to my structure since same is in existence prior to 1991 Notification.

13. I say that there is there is no identification of the offending structure which is ordered for demolition by the Respondent No.1. In the **IMPUGNED ORDER/DIRECTION**, Respondent No.1 has placed heavy reliance on the report submitted by the Mamlatdar of Bardez and Deputy Collector of Bardez-Goa. On

A. Toraskar



going through said Reports which are made as base for passing **IMPUGNED ORDER/DIRECTION** by the Respondent No.1, it is evident that Mamlatdar of Bardez, Deputy Collector of Bardez-Goa and Additional Collector of North-Goa, have not independently identified the structure in terms of House Number and items of area of the structure. No sketch and location of the offending structure which is ordered for demolition has been prepared and therefore Respondent No.1 was not justified in passing **IMPUGNED ORDER/DIRECTION** based on Report of the Mamlatdar of Bardez and Deputy Collector of Bardez-Goa.

14. I submit that **IMPUGNED ORDER/DIRECTION** bearing Ref. No. G C Z M A/N/ILLE-COMPL/22-23/15/3024, dated 05/11/2025, passed/issued by the Respondent No.1 under Section 5 of The Environment (Protection) Act, 1986, Read with

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Rule 4 of The Environment (Protection) Rules, 1986, is not sustainable in the eyes of law and same deserves to be quashed and set aside on the grounds a set out by me in the Appeal.

15. I submit that nothing be deemed to be admitted for want of specific denial.
16. I therefore pray that this Hon'ble Tribunal be pleased to allow my Appeal.

I say what is stated in Paragraph No.1 to 13 of Affidavit-in-Rejoinder are true to my knowledge and based on records and what is stated in Paragraph No.14 to 16 are my legal submissions which I believe to be true.

Solemnly affirmed at Bardez-Goa,

On this 8th day of June, 2026.

#toraskar



Shri Toraskar
DEPONENT

Read over and explained the contents

In Konkani and found to be correct.

Identified by:



Adv. Akhil D. Govenkar.



No responsibility is accepted
by this Notary Advocate for
the contents of this document

Solemnly affirmed before me by
Shri / Smt. Shubhangi Arun Toraskar
who has been identified by
Adv. Akhil D. Govenkar
~~personally known to me.~~
Reg. No. *384/2026*
Dated *08/06/2026*

08/06/2026
PRAVIN CHANDRAS NAIK
ADVOCATE & NOTARY
GOVERNMENT OF INDIA