

BEFORE THE NATIONAL GREEN TRIBUNAL SITTING AT
PUNE

I.A. NO. 228 OF 2023

IN

APPLICATION NO. OA /34 OF 2023 /WZ

Sandeep Parkar & Another ...Applicant

IN THE MATTER BETWEEN: -

Sandeep Parkar & Another ...Applicant

Versus

Member-Secretary, State Level

Environment Impact & Others ...Respondents

AFFIDAVIT IN REPLY ON BEHALF OF OBEROI
CONSTRUCTIONS LIMITED I.E. PROPOSED RESPONDENT

I, Saumil Daru, an adult, Indian inhabitant, and authorised signatory of Oberoi Constructions Limited i.e. proposed Respondent, having its office at Commerz, 3rd Floor, International Business Park, Oberoi Garden City, Off Western Express Highway, Goregaon East, Mumbai – 400063, do hereby solemnly affirm and state as follows:



- (d) I say that the Applicants have sought to rely on a Joint Venture Agreement dated 23rd September, 2009 executed between Skylark (then M/s. Skylark Build, a partnership firm), Shree Vrunda and the proposed Respondent and registered with the office of the Sub Registrar of Assurances under Serial No.BBE-3-8370 of 2009, whereby Skylark, Shree Vrunda and the proposed Respondent had agreed to undertake, the business of development of free sale land in the manner as set out therein. The terms of the Joint Venture Agreement are self-explanatory and identifies the role and responsibilities of the proposed Respondent and the Respondent No. 5.
- (e) I say that the Applicants are misleading this Hon'ble Tribunal by not placing before this Hon'ble Tribunal the full and complete details. The Applicants have alleged that the proposed Respondent is a constituent of M/s. Oasis Realty which is constituted by the Joint Venture Agreement dated 23rd September 2009 executed between Skylark (then M/s. Skylark Build, a partnership firm), Shree Vrunda and the proposed Respondent and registered with the office of the Sub Registrar of Assurances under Serial No.BBE-3-8370 of 2009. However, by and under a Re-constitution Agreement dated 3rd March 2023 ("**Re-constitution Agreement**") executed by and between Skylark, Moon Rays Realty Private Limited, the proposed

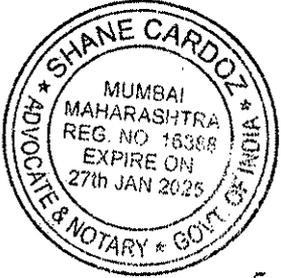


Respondent and M/s. Oasis Realty, the proposed Respondent has retired from Oasis Realty with effect from the date of execution of the Re-constitution Agreement.

- (f) The aforesaid fact is also recorded in the Letter dated 3rd March, 2023 addressed by Oberoi Realty Limited (the holding company of the proposed Respondent) to Bombay Stock Exchange whereby the stock exchange was duly intimated of the retirement of the proposed Respondent from Ms. Oasis Realty. A copy of the Letter dated 3rd March, 2023 is annexed hereto and marked as **Exhibit "A"**.
- (g) The proposed Respondent is no more a constituent of the association of persons viz., Oasis Realty, and the present constituents whereof are only Skylark Buildcon Private Limited (being Respondent No. 5) and Moon Rays Realty Private Limited.
- (h) The captioned Application seeks impleadment of the proposed Respondent on the basis that it is a constituent of Oasis Realty. As stated hereinabove, this is incorrect. Consequently, the captioned Application ought to be dismissed as the underlying basis for the proposed Respondent's impleadment is erroneous and misconceived.



(i) I say that the captioned Application is bereft of details and does not make any averments as how and why the proposed Respondent is a proper and / or necessary party to the captioned Original Application.



5. In view of what is stated hereinabove, the Applicant has not made out any case for the impleadment of the proposed Respondent. Consequently, the captioned Application ought to be dismissed in limine with costs.

Solemnly affirmed at Mumbai
this 31 day of January 2024
31 JAN 2024

)
) *Shane Cardoz*

Before Me,

For Ganesh & Co.

[Signature]

Advocates for the proposed Respondent

BEFORE ME

Shane Cardoz

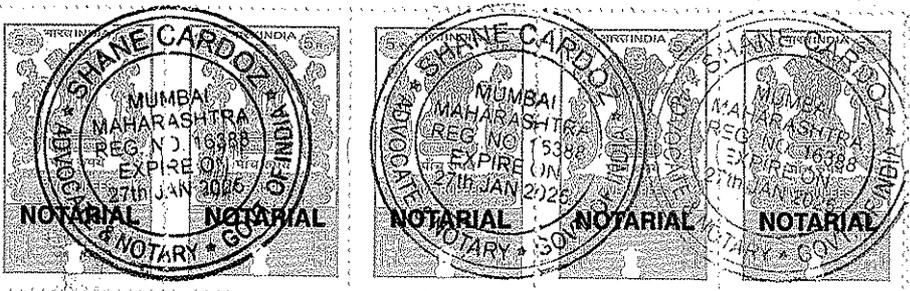
SHANE CARDOZ

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Next to Ganesh Mandir Chowk, Bandra (W)
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MAH / 3457 / 2002



Notary Register Serial No.	514/24
Date:	31 JAN 2024

ORIGINAL SEEN & VERIFIED					
AADHR	PAN	ELECTION ID	VOTER ID	PANSPORT	POA
AAA PD 40354					



[Signature]

