



BEFORE THE NATIONAL GREEN TRIBUNAL  
WESTERN ZONE BENCH PUNE

I.A. 202/2024

IN

Appeal 141/2024

ANURAG ANDRADE. ...APPELLANT

VS.

THE GCZMS AND ORS. ...RESPONDENTS

**AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT**

**NO. 1**

I, Shri Johnson Bedy Fernandes, Age: Adult, Occupation: Service, Working as the Member Secretary of the Respondent No. 1 having my office at: Patto, Panaji, do hereby beg to state on solemn affirmation as under:

1. I say and submit that I have gone through the records of the present matter and after going through the relevant office records I am filing the present Affidavit. However, I should not be deemed to admit anything which is contrary to or inconsistent with what is stated hereinafter in the absence of specific denial.



2. It is stated that The Applicant has filed the present application for condonation of delay on the ground that the Applicant has filed a civil suit No.3/2024 before the Hon'ble District Court, Panaji challenging the impugned Order on the ground that principles of natural justice are not following while passing the Impugned Order dated 29.12.2023.

3. For the sake of clarity, the I am mentioning the chronology of the proceedings as under

Sr. No.	Date	Particulars
1.	29.12.2023	Impugned Order of GCZMA
2.	25.01.2024	Impugned Order received by the Applicant
3.	23.02.2024	Order of the District Court Panjim Rejecting the Civil Suit on the ground of lack of jurisdiction.
4.	April 2024	Appeal filed before the National Green Tribunal, Western Zone Bench Pune

4. I say and submit that as alleged by the Applicant the Applicant was in receipt of the impugned Order which is the subject matter of the present Appeal on 25.01.2024 and the Applicant chose the wrong forum. It is submitted that the present



application cannot allowed merely on the ground that the Applicant had approached the Forum which did not have jurisdiction to entertain, try and decide the present issue involved. So also the Applicant has utterly failed to justify the reason for approaching the wrong Forum.

5. This being so, the delay in filing the present appeal is beyond the 60 days. Hence it is most respectfully submitted that this delay may not be condoned and the appeal is not maintainable on this ground alone.

Hence this affidavit

Shri Johnson Bedy Fernandes  
DEPONENT

VERIFICATION

I, the Deponent above-named do solemnly affirm that all that is stated in this Affidavit is true to the best of my knowledge and belief, which is based on the records available in respect of the issue involved in the above-captioned Appeal. Nothing false has been stated herein.

Solemnly affirmed this 17<sup>th</sup> day of December 2024 at Panaji, Goa.

Shri Johnson Bedy Fernandes  
DEPONENT

Executed before me  
At Panjim Tiswadi - Goa  
Reg. No. 191/12/2024  
Dated: 17/12/2024

Ven.   
C.P.P.B Gracias  
Advocate & Notary Goa State

