

## BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN ZONE, PUNE

Application No. 170 of 2022

In

Execution Application No. 10/ 2022

In

Original Application No. 69/2021



MR. MAHENDRA GOVIND HASBNIS )

Age about -59 years, Occup- Agriculturist and )

Business Residing at Survey No. 408/7, Limbfata, )

Mumbai- pune Road, Talegaon Dabhade, Taluka )

Maval, District Pune- 410506 Contact No. - )

+917083426105 )

Email-mahendrasahabnis30@gmail.com )

... Applicant

Vs.

1. CIKAUTXO INDIA PVT. LTD. )

A Public Limited Company incorporated )

Under the provisions of the Indian Companies )

Act, 1956 having its registered address at: Survey )

No. 662, Pune- Mumbai Road, Talegaon- )

Dabhade, Pune- 410506 )

- Email- [cikautxo@cikautxo.com](mailto:cikautxo@cikautxo.com) )
2. ALEJANDRO ARANZABAL GOMTEZ )  
 Email- [mmendibe@cikautxo.com](mailto:mmendibe@cikautxo.com) )
3. JOSE ALBERTO AGIRREGOMEZKORTA )  
 ARANTZETA )  
 Email- [mmendibe@cikautxo.com](mailto:mmendibe@cikautxo.com) )
4. INIGO EDUARDO LASCURAIN PAGEEGUI )  
 Email- [mmendibe@cikautxo.com](mailto:mmendibe@cikautxo.com) )
5. MIGUEL ANGEL MENDIVE AURRECOECHEA )  
 Email- [mmendibe@cikautxo.com](mailto:mmendibe@cikautxo.com) )
6. ANTARA NANDI )  
 Email- [mmendibe@cikautxo.com](mailto:mmendibe@cikautxo.com) )
- No. 2 to 6 are the Directors of Cikautxo India Pvt )  
 Ltd, having their Office at Survey No. 662, Pune- )  
 Mumbai Road, Talegaon- Dabhade, Pune- )  
 410506 )  
 Email- [cikautxo@cikautxo.com](mailto:cikautxo@cikautxo.com) )
7. THE SECRETARY )  
 Ministry of Environment, Forest and Climate )  
 Change, Having office at Indira Paryavaran )  
 Bhavan, Jorbagh Road, New Delhi 110003 )



Email- [manju.pandey@nic.in](mailto:manju.pandey@nic.in) )

8. PRINCIPAL SECRETARY )

Environment Departement, )

Government of Maharashtra, Mumbai 400032. )

Email- [mah.env@nic.in](mailto:mah.env@nic.in) )

9. THE MEMBER SECRETARY, )

Maharashtra Pollution Control Board, )

Having its office at- Kalpataru Point, 3<sup>rd</sup> Floor, )

Opp. Cineplanet, Sion East, Mumbai- 40022. )

10. REGIONAL OFFICER PUNE II, )

Jog Centre, 3<sup>rd</sup> Floor, Wakdewadi, Old- Pune )

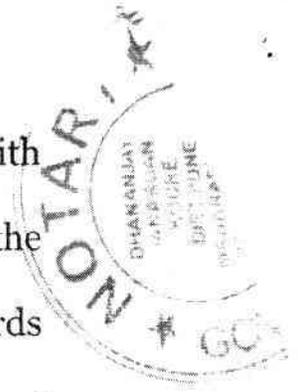
Mumbai Highway, Pune- 411003 )

Email- [ropune@mpcb.gov.in](mailto:ropune@mpcb.gov.in) ) ... Respondents

**AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO.**

**1 to 6**

I/We, MIGUEL ANGEL MENDIVE AURRECOECHEA, Age 51 years,  
Occupation Service, Respondent No. 1 and 5, O/at Survey No. 662,  
Pune- Mumbai Road, Talegaon Dabhade, Pune- 410506, do hereby  
state on solemn affirmation as under: -



1. I state that I am working as the Chief Executive Officer with Respondent No. 1 company w.e.f. July 2019. I am aware of the facts involved in the present case on the basis of the records maintained by Respondent No. 1 in its ordinary course of business. I am, therefore, competent to depose to the statements in the present Affidavit. I have perused a copy of the present Application and I am filing the present Affidavit in reply thereto on behalf of Respondent No. 1 to 6. I have been duly authorised to file the present Affidavit by Respondent No. 1 to 6.
2. At the very outset, I deny each and every statement, averment, allegation and/or contention in the present Application in toto. Nothing contained in the present Application shall be deemed to be admitted by any of the answering Respondents for want of specific traverse.
3. At the further outset, I say that the present Application as well as the execution proceedings have been filed by the Applicant are only with a malafide intention to obstruct the business of Respondent No. 1.
4. I say that I have filed Affidavit-in-Reply dated 12<sup>th</sup> December, 2022 to the Execution Application no. 10 of 2022 on behalf of

Respondent nos. 1 to 6, Affidavit-in-Rejoinder dated 24<sup>th</sup> February, 2023 and Affidavit-in-Reply dated 22<sup>nd</sup> May, 2023 in reply to Application no. 66 of 2023 ("**Earlier Affidavits**"). I say that I adopt the contents of the Earlier Affidavits and all other pleadings filed on behalf of Respondent nos. 1 to 6 in the present Affidavit. I say that I repeat and reiterate what is stated in the Earlier Affidavits as if the same were set out herein verbatim. I say that I reserve my right to file an additional Affidavit in Reply to the present Application, if so required.

5. In the premises aforesaid, I say that the present application is not maintainable, baseless and in any event, devoid of any merit and is liable to be dismissed with compensatory costs.

Whatever is stated hereinabove is true and correct to the best of my knowledge believe and information and I have put my signature hereunder at 22<sup>h</sup> on this my day of 2023 2023.

M/s. Dhruve Liladhar & Co.

*R. Samikale*

Partner  
Advocates for the Respondent Nos. 1 to 6

*Miguel Angel Mendive*

Miguel Angel Mendive  
Aurrecoechea  
For Respondent Nos. 1 to 6

**BEFORE ME**

DHANANJAY JANARDAN KODRE  
ADVOCATE & NOTARY (GOVT. OF INDIA)  
Main Maruti Mandir Chowk, Budhwar Peth,  
CTS No. 5405, Jijamata Chowk to Maruti Mandir Road,  
Telgaon-Dabhade, Tal. Maval Dist. Pune-410508

NOTED AND REGISTERED  
AT SERIAL NO 679 /2023 12 2 MAY 2023  
ON



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GREEN TRIBUNAL WESTERN  
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Mr. Mahendra Govind Hasbnis

... Applicant

Versus

Cikautxo India Pvt. Ltd

& Ors.

... Respondents

**AFFIDAVIT IN REPLY ON BEHALF  
OF RESPONDENT NO. 1 to 6**

-----  
Dated this 22<sup>nd</sup> day of May, 2023.

**M/S. DHRUVE LILADHAR & CO.  
Advocates for the Respondent Nos. 1  
to 6**

61/62, Free Press House, 6<sup>th</sup> Floor,

215, Free Press Journal Marg,

Nariman Point,

Mumbai - 400 021.

Office: 022-6760 6000

Mobile: 98210 97067

**Advocates' Code No. 29014**