

BEFORE THE NATIONAL GREEN TRIBUNAL,**WESTERN ZONE BENCH, PUNE****AT PUNE****INTERLOCUTARY APPLICATION NO. 17 OF 2024
IN
EXECUTION APPLICATION NO.03 OF 2023
IN
ORIGINAL APPLICATION NO. 1 OF 2020 (WZ)**

RAZZAK RAJMOHAMMED BAIG
AND OTHERS

...APPLICANTS

Versus

DISTRICT COLLECTOR,
AHMEDNAGAR, AND OTHERS

...RESPONDENTS

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PUNE

DATE : 25/04/2024



ADVOCATE FOR RESPONDENT NO.12

BEFORE THE NATIONAL GREEN TRIBUNAL,**WESTERN ZONE BENCH, PUNE****AT PUNE**

**INTERLOCUTORY APPLICATION NO. 17 OF 2024
IN
EXECUTION APPLICATION NO.03 OF 2023
IN
ORIGINAL APPLICATION NO. 1 OF 2020 (WZ)**

RAZZAK RAJMOHAMMED BAIG
AND OTHERS

...APPLICANTS

Versus

DISTRICT COLLECTOR,
AHMEDNAGAR, AND OTHERS

...RESPONDENTS

AFFIDAVIT IN REPLY OF RESPONDENT No.12**MAY IT PLEASE THE HON'BLE TRIBUNAL**

I, **BALASAHEB JANARDHAN MURDARE**, ADULT, occupation: business having address at Gat No.40, Varur (K), Taluka Shevgaon, District Ahmednagar, do hereby state on solemn affirmation as under: -

1. I say that I am the Proprietor of the Respondent No.12 and am duly authorized to file the present Affidavit. I say that I am handling the day to day affairs of the Respondent No.12. I am aware of the facts and circumstances of the present case and hence am able to depose the same on oath.

Galande K.K.
Advocate & Notary Public
Shevgaon, Dist. Ahmednagar
Pin - 414 502



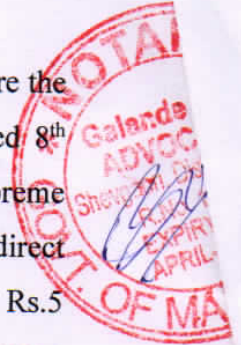
2. I say that the Respondent No.12 has filed a Civil Appeal before the Hon'ble Supreme Court of India challenging the order dated 8th August 2023 passed by this Hon'ble Tribunal. The Hon'ble Supreme Court vide its order dated 2nd February 2024 was pleased to direct that no coercive action to be initiated subject to payment of Rs.5 lakhs by the Respondent No.12 with the Registry of the Supreme Court. The Respondent No.12 has complied with the said order and the interim relief continues till date. Copy of the order dated 2nd February 2024 is annexed hereto and marked as ANNEXURE – R-1.

3. I, further say that the Applicant herein alongwith the application has produced certain bills to demonstrate the crops sold by him in the market. I say that the said bills are forged documents and are filed with an ulterior motive. The Respondent No.12 immediately upon service of the present application has approached one Mr.Mahesh Hastimal Gandhi, whose bills are produced by the Applicant in support of the present application. The said Mr.Gandhi on Affidavit states that the said bills are fake and were never issued by him. Copy of the affidavit of Mr.Gandhi is annexed hereto and marked as ANNEXURE – R-2.

4. I say that the Respondent No.12, thereafter approached, the Agricultural Produce Committee, Shevgaon, Ahmednagar for verification of the bills produced by the Applicant. The Committee vide its letter dated 30th January 2024 addressed to the Respondent No.12 has stated that the produce mentioned in the said bills was never brought to them. Copy of the letter dated 30th January 2024 is annexed hereto and marked as ANNEXURE – R-3.

Gatande K.K.
Advocate & Notary Public
Shevgaon, Dist. Ahmednagar
Pin - 414 502

asth



Gatande K.K.
Advocate & Notary Public
Shevgaon, Dist. Ahmednagar
Pin - 414 502

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- 5. I say that it clearly establishes that the Applicant has approached this Hon'ble Tribunal with unclean hands and is trying to play fraud upon this Hon'ble Tribunal by producing fake documents. It is thus submitted that the Hon'ble Tribunal be pleased to initiate strictest possible action against the Applicant. Infact, the Respondent No.12 readily believes that the Applicant is not a farmer and has only filed the present case to harass the Respondent No.12.
- 6. I say that whatever stated hereinabove is true and correct to the best of my knowledge, information and belief.



Solemnly affirmed at Shevgaon on this 25 th day of April 2024.

BEFORE ME

Solemnly affirmed before me by... Balasaheb Janardhan Mardave who is identified before me by... Dasha... whom I personally know.

110, Bhagat Red Shevgaon Dist. A. Nagar
Deponent
(Balasaheb Janardhan Mardave)

BEFORE ME





GALANDE K. K.
Advocate & Notary Public
Shevgaon, Dist. A. Nagar-414502

25/4/2024



NOTED & REGISTERED
SR. NO. 520 2024
DOCUMENT CONTAINS
3 PAGES



 	 
<p>भारत सरकार Government of India</p>	<p>माहिती / INFORMATION</p>
<p>भारतीय विशिष्ट ओळख प्राधिकरण Unique Identification Authority of India</p>	<ul style="list-style-type: none"> ■ आधार हा ओळखीचा पुरावा आहे, नागरिकत्वाचा किंवा जन्मतारखेचा नाही. जन्मतारीख आधार क्रमांक धारकाने प्रस्तुत केलेल्या नियमामध्ये निर्दिष्ट केलेल्या जन्मतारीख दस्तऐवजाच्या पुराव्याद्वारे समर्थित असलेल्या माहितीवर आधारित आहे. ■ हा आधार पत्राची पडताळणी UIDAI-नियुक्त प्रमाणीकरण एजन्सीद्वारे ऑनलाइन प्रमाणीकरणाद्वारे किंवा ॲप स्टोरमध्ये उपलब्ध mAadhaar किंवा Aadhaar QR स्कॅनर ॲप वापरून किंवा www.uidai.gov.in वर उपलब्ध सुरक्षित QR कोड रीडर ॲप वापरून QR कोड स्कॅनिंगद्वारे सत्यापित केले जावे. ■ आधार अद्वितीय आणि सुरक्षित आहे. ■ ओळख आणि पत्त्याला आधार देणारी कागदपत्रे आधार नोंदणीच्या तारखेपासून दर 10 वर्षांनी आधारमध्ये अद्यतनित केली जावीत. ■ आधार तुम्हाला विविध सरकारी आणि गैर-सरकारी साम/सेवांचा लाभ घेण्यास मदत करते. ■ आधारमध्ये तुमचा मोबाईल नंबर आणि ईमेल आयडी अपडेट ठेवा. ■ आधार सेवांचा लाभ घेण्यासाठी mAadhaar ॲप डाउनलोड करा. ■ आधार/बायोमेट्रिक्स वापरत असताना सुरक्षितता सुनिश्चित करण्यासाठी लॉक/अनलॉक आधार/बायोमेट्रिक्सचे वैशिष्ट्य वापरा. ■ आधारची मागणी करणाऱ्या संस्थांनी संमती घेणे बंधनकारक आहे. ■ Aadhaar is proof of identity, not of citizenship or date of birth (DOB). DOB is based on information supported by proof of DOB document specified in regulations, submitted by Aadhaar number holder. ■ This Aadhaar letter should be verified through either online authentication by UIDAI-appointed authentication agency or QR code scanning using mAadhaar or Aadhaar QR Scanner app available in app stores or using secure QR code reader app available on www.uidai.gov.in. ■ Aadhaar is unique and secure. ■ Documents to support identity and address should be updated in Aadhaar after every 10 years from date of enrolment for Aadhaar. ■ Aadhaar helps you avail of various Government and Non-Government benefits/services. ■ Keep your mobile number and email id updated in Aadhaar. ■ Download mAadhaar app to avail of Aadhaar services. ■ Use the feature of Lock/Unlock Aadhaar/biometrics to ensure security when not using Aadhaar/biometrics. ■ Entities seeking Aadhaar are obligated to seek consent.
<p>भारत सरकार Government of India</p>	<p>भारतीय विशिष्ट ओळख प्राधिकरण Unique Identification Authority of India</p>

[Handwritten Signature]

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ANNEXURE-R-1
SECTION XVII

ITEM NO.21

COURT NO.7

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL DIARY NO(S). 2115/2024

BALASAHEB JANARDHAN MURDARE

Appellant(s)

VERSUS

THE DISTRICT COLLECTOR, AHMEDNAGAR & ORS.

Respondent(s)

(IA No.22994/2024-CONDONATION OF DELAY IN FILING and IA No.22992/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.22991/2024-STAY APPLICATION)

Date : 02-02-2024 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Appellant(s) Mr. Ninad Laud, Adv.
Mr. Saurabh Kulkarni, Adv.
Ms. Rashika Narain, Adv.
Mr. Dcosta Ivo Manuel Simon, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Application seeking exemption from filing certified copy of the impugned order is allowed.

Delay condoned.

Issue notice, returnable on 15th March, 2024.

In the meanwhile, no coercive action shall be taken against the appellant for recovery of the compensation amount subject to the appellant depositing a sum of Rs.5 lakhs with the Registry of this Court within a period of one month from today. As and when the aforesaid amount is deposited by the appellant, the same shall be invested in appropriate interest bearing fixed deposit initially for a period of six months. The fixed deposit shall be renewed from time to time.

(ASHISH KONDLE)
COURT MASTER (SH)



(AVGV RAMU)
COURT MASTER (NSH)

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

I.A No. of 2024

IN

EXECUTION APPLICATION No.3 of 2023

IN

ORIGINAL APPLICATION No.11 of 2023

RAZZAK RAJMOHAMMAD BAIG

& OTHERS

APPLICANTS

V/s

DISTRICT COLLECTOR, AHMEDNAGAR

& OTHERS

RESPONDENTS

AFFIDAVIT

1. Mahesh Hastimal Gandhi, adult, occupation: business, residing at Shastrinagar, Shevgaon, Taluka Shevgaon, District Ahmednagar, do hereby state on solemn affirmation as under: -

1. I say that I am working as General Merchant and Commission Agent at Taluka Krishi Bazar Utpanna Samiti, Shvegaon, District Ahmednagar since 2000.

2. I say that I do the business of the farm produce purchased from the farmers at the Krishi Bazar Utpanna Samiti. I purchase **Wheat,Tur,Bajra,Jowar,Moong,Gram,Masur** from the farmers.

Galande K.K.
Advocate & Notary Public
Shevgaon, Dist. Ahmednagar
Pin - 414 502





- 3. I say that the Respondent No.12 herein approached me and showed me the copy of the present IA filed by the Applicants and more specifically the bills annexed thereto. I say that I was shocked and surprised to see my name being used by the Applicants for their benefits. I say that I have never purchased any crops from the Applicants and that the bills produced by the Applicants are fake, bogus and fraudulent. The said bills have never been issued by me.
- 4. I say that whatever stated hereinabove is true and correct to the best of my knowledge, information and belief.

Solemnly affirmed at **Shevgaon** on this **28** day of January 2024

[Handwritten signature]

[Handwritten signature]
Deponent

BEFORE ME

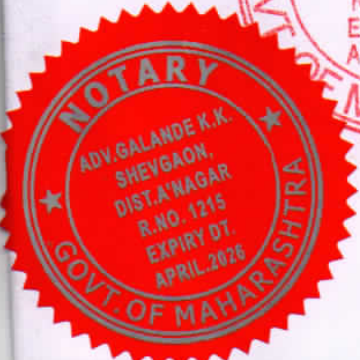
Solemnly affirmed before me by Mahasha Hashmat Gandhi Ag. & Co. who is identified before me by Dashelatha Thase DA Nagar whom I personally know.

PIO New Dalphol, Tal Shevgaon
DA Nagar. Re- Shashin's Ag.
Shevgaon DA Nagar



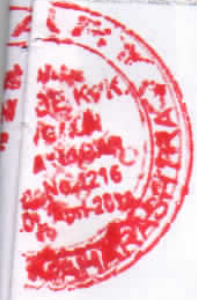
BEFORE ME

[Handwritten signature]
GALANDE K. K.
Advocate & Notary Public
Shevgaon, Dist. A. Nagar-414502



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भारत सरकार
Unique Identification Authority of India
Government of India



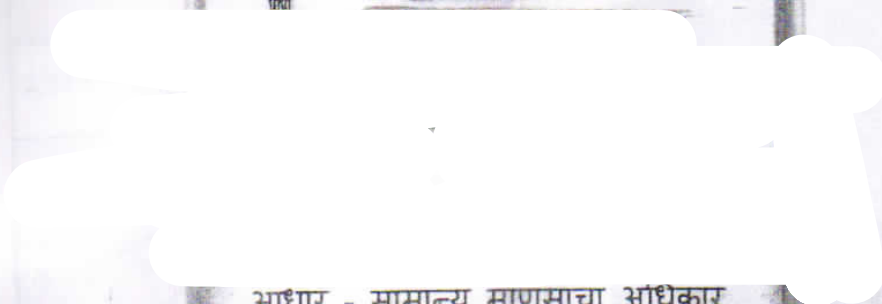
आपला

No. :

आधार - सामान्य माणसाचा अधिकार



भारत सरकार



आधार - सामान्य माणसाचा अधिकार



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(१)

नियम ६ (२) (३) पहा

अ. का. वि. पा. म्हणून धंदा करण्यासाठी

अनुज्ञप्ति (लायसेन्स)

शेवगांव कृषि उत्पन्न

बाजार, समिती

शेवगांव जि. अहमदनगर

श्री. महेश हरतीम (६) गांधी

पत्ता मु. पो. शेवगांव ता. शेवगांव

चालक मालक श्री. महेश हरतीम (६) गांधी

यांनी (ज्यात यापुढे अनुज्ञप्तिधारी असा उल्लेख

करण्यात आलेला आहे.) रुपये नव्वे हजार

फी दिल्यानंतर शेवगांव मार्केट येथील

Adv. K. K. GALANDE K. K. SHEVGAON DIST. AHMEDNAGAR Reg. No. 1215

(c)

—: अनुज्ञप्तिचे नुतनीकरण :-

नुतनीकरणाची ता.	ज्या मुदतीसाठी करण्यात आले असेल ती मुदत	सभापतीची सही व तारीख
23/2/2016	918/2016 ते 39/3/2016	[Signature] 23/2/16
24/2/2020	918/2020 ते 39/3/2020	[Signature] सचिव
20/2/2021	918/2021 ते 39/3/2021	[Signature] सचिव

कृषि उत्पन्न बाजार समिती, शेवगांव, ता. शेवगांव, जि. अ. नगर

(१)

(१)	(२)	(३)
27/2/2022	918/2022 ते 39/3/2022	[Signature] सचिव
24/2/2023	918/2023 ते 39/3/2023	[Signature] सचिव
25/2/2023	918/2023 ते 39/3/2023	[Signature] सचिव

कृषि उत्पन्न बाजार समिती, शेवगांव, ता. शेवगांव, जि. अ. नगर



कृषि उत्पन्न बाजार समिती, शेवगांव, ता. शेवगांव

प्रति,
श्री.बाळासाहेब जनार्दन मुरदारे,
प्लॉट नं.४७ आय.टी.आय समोर शेवगाव.

ANNEXURE-R-3

विषय :- कृषी उत्पन्न बाजार समिती शेवगाव अतंगत खरेदी पावत्याची खातरजमा

करणे बाबत...

संदर्भ :- आपला दि. १०/१२/२०२३ रोजी चा अर्ज.

महोदय,

उपरोक्त संदर्भाय अर्जास व विषयांस अनुसरुन आपण श्री.महेश हास्तीमल गांधी जनरल मर्चंट अॅन्ड कमिशन एजंट यांच्याकडुन दि.२७/१२/२०१५ रोजी हिशोब पट्टी नंबर ३२९२, दि.२०/३/२०१६ रोजी हिशोब पट्टी नंबर ३३८८, दि.१६/११/२०२२ रोजी हिशोब पट्टी नंबर ५७६ व दि.१/९/२०२३ रोजी हिशोब पट्टी नंबर ८१४ च्या झेरॉक्स प्रती सादर करुन सदर पावत्यांची खातरजमा करणे बाबत अर्ज दिला आहे.

सदरील हिशोब पट्ट्याची बाजार समितीने समितीचे रेकॉर्डवरुन तपासणी केलेली असुन सदर हिशोब पट्ट्यातील शेतमालाच्या काटापट्ट्या बाजार समितीकडे झालेल्या नाहीत तसेच बाजार समितीचे आवक रजिस्टरला नोंद आढळुन आलेली नाही. त्याचप्रमाणे सदर हिशोब पट्ट्यातील शेतमालावरील मार्केट फी (सेस) ही त्यांनी बाजार समितीकडे भरलेला नाही. त्यामुळे संबंधीत शेतकऱ्यांचा माल कृषी उत्पन्न बाजार समितीमध्ये विक्रीस आलेला नाही.

संबंधीत शेतकऱ्यांचा माल मार्केट मध्ये आल्याची बाबतची बाजार समितीकडे कोणत्याही प्रकारची अधिकृत माहिती आढळुन आलेली नाही.



आपला विश्वासू

प्र.सचिव

कृषी उत्पन्न बाजार समिती, शेवगाव
ता.शेवगाव जिल्हा-अहमदनगर.

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Outward No.156
Agricultural Produce Market Committee,
Shevgaon
Date: 30/1/2024.

To,

Mr. Balasaheb Janardhan Murdare,
Plot No. 47 Opp. I.T.I.,
Shevgaon.

Subject:- Regarding verification of the Purchase Receipts under
Agricultural Produce Market Committee, Shevgaon.

Reference: Your application dated 10/12/2023.

Sir,

Pursuant to your application referred herein above and the cited subject, you have submitted the aforesaid application along with Xerox copies of the Receipts bearing Receipt (Account Patti) No.3292 dated 27.12.2015, Receipt (Account Patti) No.3388 dated 20.03.2016, Receipt (Account Patti) No.576, dated 16.11.2022 and Receipt (Account Patti) No.576 dated 01.09.2023 from Shri.Mahesh Hastimal Gandhi, General Merchant & Commission Agent for the verification of the said receipts.

The Market Committee has examined the said Receipts from the records of the Committee and the Agricultural Commodities in the Receipts have not been registered with this Market Committee and no entry has been found in the Market Committee's incoming register. Similarly, they have not paid the market fee (Cess) on the agricultural produce mentioned in the said receipts to the Market Committee.

Therefore, the goods of the concerned farmers have not been received for sale in the Agricultural Produce Market Committee.

The Market Committee has not found any kind of official information regarding the arrival of the goods of the concerned farmers in the Market Committee.

Yours faithfully,
Sd/-
Incharge Secretary,
Agricultural Produce Market Committee, Shevgaon, Tal.
Shevgaon, Dist. Ahmednagar.

Round Seal:
Agricultural Produce Market
Committee, Shevgaon, Dist. Ahmednagar
Established on 1/6/1955

