



BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

I.A. NO. 44 OF 2025 (WZ)

IN

ORIGINAL APPLICATION NO. 100 OF 2024 (WZ)

Vanshakti & Ors.

... Applicants

Vs.

Municipal Corporation of Greater

Mumbai & Ors.

... Respondents

**AFFIDAVIT IN REPLY OF RESPONDENT NO.12**

I, Sumeet Singh aged about 35 years, Authorized Signatory of Respondent No. 12, having registered office at 7<sup>th</sup> Floor, Resham Bhavan, Veer Nariman Road, Churchgate - 400020, do hereby solemnly affirm and state as under:-

1. I say that I am the authorized representative of Respondent No. 12. I say that I have read and familiarized myself with the papers in the captioned Interim Application. I am conversant with the facts and circumstances of the present case and am able and competent to depose to the same from facts to my personal knowledge and records maintained by Respondent No. 12. I crave leave to file a further affidavit if so necessary.
2. At the outset I repeat and reiterate what is stated in my Affidavit in Reply dated February 13, 2025, in Original Application No. 100 of 2024 ("Affidavit in Reply") before this Hon'ble Tribunal. I deny each and every allegation, contention and insinuation which is contrary to and / or inconsistent with what is set out herein and in my Affidavit in Reply, and nothing contained herein is or should be deemed to be admitted by Respondent No. 12 for want of specific traverse or otherwise.



*(Handwritten signature)*



3. At the further outset I say and submit that the captioned Interim Application is nothing but a tactic to introduce new facts and circumvent the issue that the Original Application No. 100 of 2024 is barred by limitation and ought not to be entertained by this Hon'ble Tribunal.
4. I say and submit that the fires that occurred on December 28, 2024 and January 13, 2025 have not been caused by Respondent No. 12 or its agents or its representatives.
5. The Applicant vide the captioned Interim Application is seeking the following relief:
 

*“Direct the officers of the Dindoshi Police Station, Malad East to vigorously and diligently investigate the fires that occurred on the 28th of December and 13th January 2025 on the land bearing Survey No. 239/1(part) and CTS No 827A/4A/1 and CTS No 827A/4A/2 with the help of professionals who have experience investigating fires in in terms of terms of Recommendation No. 2 of the Joint Committee in its first report submitted in OA 100/2024”*
6. I say and submit that the Applicant admits that *“some investigation seems to have been started on the basis of the said complaint”*. In view thereof, I say and submit that the aforesaid relief prayed for cannot be granted and the captioned Interim Application is not maintainable as the same is beyond the scope of the National Green Tribunal Act, 2010. I further say and submit that any direction against the police has to be sought before an appropriate forum which can supervise and adjudicate diligence of the investigation that the police are conducting or have conducted.
7. I say and submit that the Applicants reliance on the Bharatiya Nyaya Sanhita, 2023 and the Bombay Police Manual 1959 (Containing the Rules under the Bombay Police Act, XXII of 1951, the Bombay Police the Bombay XRII of 1951, the Bombay Police (Extension and Amendment) Act, XXXIV of 1959 and other Departmental Regulation) is unwarranted and beyond the scope of the National Green Tribunal Act, 2010.
8. I say and submit the Joint Committee Report dated August 21, 2024 (**“Joint Committee Report”**) has *inter alia* observed that plot CTS No.



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827A/4A/2 is "largely barren, with only shrubs and grass remaining" and that "Unlike the dense vegetation within the boundary of Sanjay Gandhi National Park, this land parcels in CTS No. No. 827A/4A/1 and 827A/4A/2 are notably devoid of tree growth" which clearly shows that the allegation of the Applicants that the fires caused on December 28, 2024 and January 13, 2025 are deliberate, criminal acts of arson with a intention to clear out all natural foliage, dense forest and vegetation and wildlife located on the land are without any merit and are just another way to further harass the Respondents.

9. I say and submit that Respondent No. 11 in its Reply has relied on the Panchnama dated December 12, 2024, January 14, 2025 ("said **Panchnamas**") and the BMC Fire Brigade Report dated January 13, 2025 ("**Fire Report**") all of which state that dry grass is what caught fire (which again corroborates the Joint Committee Reports observations that there is no tree cover or vegetation present on CTS No. 827A/4A/2) and that the cause of the fire is uncertain / doubtful. I say and submit that it is a well-known fact that dry grass can easily catch on fire the same can be for various reasons. The Applicant is time and again without any proof foisting the liability of the fires on this Respondent to further their agenda and bring the Original Application No. 100 of 2024 within limitation.

10. I say and submit that all steps necessary to be taken to investigate the fires have either been taken or are under investigation and further the Respondent reiterates on oath that neither Respondent No. 12 nor its agents or its representatives have caused the fire.

11. Hence the captioned Interim Application be dismissed with costs.

Solemnly declared at Mumbai )

This 10<sup>th</sup> day of March 2025 )



DSK Legal

Advocates for Respondent No.12.



Before me,

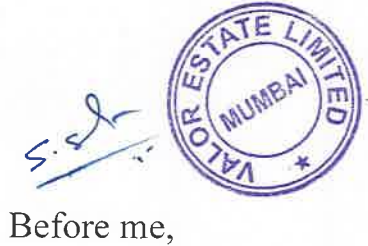


VERIFICATION

I, Mr. Sumeet Singh, the Respondent No.12 abovenamed having my office at 7<sup>th</sup> Floor, Resham Bhavan, Veer Nariman Road, Churchgate, Mumbai – 400020, do hereby solemnly affirm and state that what is stated herein in the affidavit is based on the information derived from the records of the company which I believe to be true.

Solemnly declared at Mumbai )

Dated 10<sup>th</sup> this day of March 2025 )



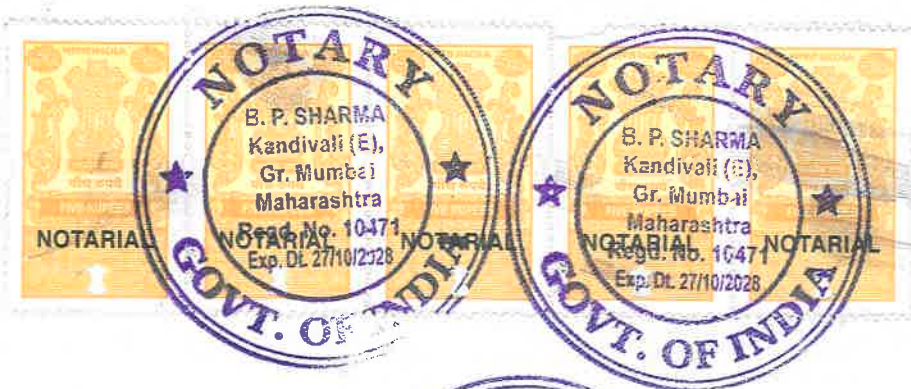
Before me,

DSK Legal

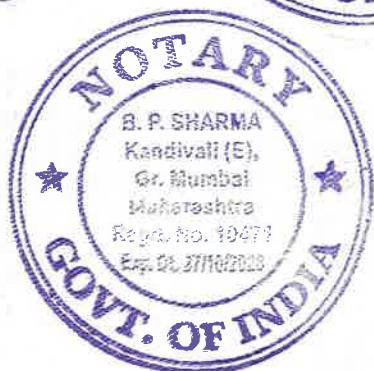
Advocate for Respondent No.12



BEFORE ME  
*B. P. Sharma*  
B. P. SHARMA  
B.Sc., LLB  
NOTARY  
MAHARASHTRA  
(GOVT. OF INDIA)  
Reg. No 10471



Notarial Serial. No 1023/2025  
Dated 10 MAR 2025



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WESTERN ZONE BENCH, PUNE  
I.A. NO. 44 OF 2025 (WZ)  
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Vanshakti & Ors. ..Applicants

Vs.

Municipal Corporation  
of Greater Mumbai  
& Ors. ..Respondents

**AFFIDAVIT IN REPLY OF  
RESPONDENT NO.12**

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Dated this 10<sup>th</sup> day of March, 2025

**DSK Legal**  
Advocates for the Petitioner  
C-16, Dhanraj Mahal,  
Apollo Bunder,  
Chhatrapati Shivaji Marg,  
Colaba, Mumbai-400 001.