

**BEFORE THE NATIONAL GREEN TRIBUNAL -**  
**WESTERN ZONE AT PUNE**

I.A. No. 848/2025(WZ)  
In  
Appeal No.06/2025(WZ)

Colva Civic and Consumer Forum ... **Appellant**

v.

Goa Coastal Zone Management Authority  
& Ors. ... **Respondents**

**AFFIDAVIT-IN-REPLY ON BEHALF OF**  
**RESPONDENT NO. 3 TO THE**  
**APPLICATION FOR AMENDMENT**

I, **MS. GLORIA YELLOW MEHRA**, D/o Kanwal Krishan Mehra, 51 years of age, Indian National, resident of Flat No. 401/C, Devashri Gardens, Porvorim, Bardez – Goa 403501, the authorized representative of Respondent No. 3 herein do hereby on solemn affirmation state as under:

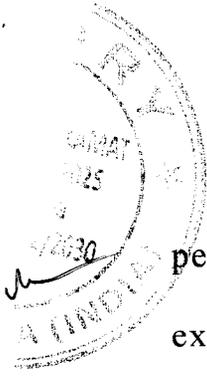


- I say that I am in receipt of an application for amendment filed by the Applicant above named. I have read and understood the contents of the same.
2. I deny and dispute the contents of the said application for amendment in toto. Anything that is not specifically denied shall not be deemed to be admitted.
  3. At the outset, I say that the reliefs sought to be incorporated by way of the amendment application are barred by limitation. The applicant is seeking to challenge the GCZMA directions issued under Section 5 of the Environment (Protection) Act, 1986 dated 16.10.2024, after an elapse of more than 1 year.
  4. Any direction issued under S. 5 of the Environment Protection Act, 1986 is appealable under S.16(g) of the NGT Act, 2010. The provision of the NGT Act contemplates a limitation period of 30 days. In addition to the same, the NGT Act empowers this Hon'ble Tribunal to condone a delay of not more than 60 days. The said period expired on or about 14.01.2025.



I say that the Application is erroneous, misconceived and an abuse of process of law. The application is vague and bereft of specific details. Application reflects the casual approach of the Applicant, who has not even sought condonation of delay, even though such condonation is not permissible under the scheme of the Act. The application does not deserve any indulgence from this Hon'ble Tribunal.

6. I say that the averments and pleadings in the application are baseless. There is nothing on record to substantiate the same. The Applicant has failed to make out a case for amendment of the appeal memo.
  
7. It bears mentioning that the present Appeal was itself filed seeking condonation of delay on the ground that the Impugned Order was obtained under RTI pursuant to a Notice dated 07.11.2024. Going by the statement of the Appellant, the 30 days limitation period to challenge the directions dated 16.10.2024, in such a scenario expired on 07.12.2024. Assuming without admitting that the Appellant was entitled for condonation of delay, the said 60 days



period which may be condoned by this Hon'ble Tribunal, expired on or about 05.02.2025.

8. Furthermore, vide Reply 30.05.2025, this Respondent has categorically raised an objection on the maintainability of the appeal for want of challenge to the directions dated 16.10.2024. The same is at para 5 of the Reply which is reproduced hereunder:

*“...5. I say that the Permission (NOC) dated 18.10.2024 impugned in the present Appeal was issued pursuant to and in compliance with the directions issued under Section 5 of the Environment (Protection) Act, 1986 dated 16.10.2024. Said directions are final and binding and have not been challenged by the Appellant. In the absence of any challenge to the foundational directions under Section 5, the consequential permission/NOC dated 18.10.2024 cannot be challenged collaterally through this Appeal. The Appeal is therefore not maintainable and is liable to be dismissed on this ground alone.*

*...”*



Respondent states that more than 6 months have passed from the filing of the said reply. Therefore, the omission to challenge the directions under 16.10.2024 was to the knowledge of the Applicant who has come forth at the belated stage. I say that in light of the above, the application for amendment is liable to be dismissed at the threshold.

10. Respondent denies that this Hon'ble Tribunal has powers to permit any amendment which effectively incorporates an ex-facie time barred challenge, irrespective of whether the same is necessary or otherwise.
11. Respondent categorically dispute paras 3, 4, 5 and 6 of the application. This Hon'ble Tribunal cannot permit anything to be done indirectly which is not permissible to be done directly. Therefore, even the question of entertaining separate proceedings to challenge the directions dated 16.10.2024 does not arise.
12. In light of the above, the Application be dismissed with cost. The same is an abuse of process of law.



13. I say that the contents of para 1, 2pt, 7pt, 8pt and 9pt are true to my own knowledge and/or based on records; and the contents of para 2pt, 3, 4, 5, 6, 7pt, 8pt, 9pt, 10, 11 and 12 are based on legal submissions which I believe to be true.

Solemnly affirmed at Panaji – Goa

On this 12<sup>th</sup> day of December, 2025

Subscribed and sworn before me by  
Name: Gloria Yellow Mehra  
AADHAR CARD No  
7716 9028 9210  
Age: 81 Date: 12/12/2025

PADMSHAJAN KAPART  
Notary for Panaji, Goa  
State of Goa (India)

*Gloria Yellow Mehra*  
DEPONENT

