



BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
INTER LOCUTORY APPLICATION NO. 175 OF 2022
IN

ORIGINAL APPLICATION NO.55 OF 2022

Kashinath Jagannath Thakur ... Applicant

Versus

Grampanchayat Shirki ... Respondents

**Affidavit Reply on behalf of
Respondent Nos. 3 to 5 to the
application for amendment to the
Original Application is as under:**

**I, Vitthal Ganpati Inamdar , Age : 46 years, Sub-Divisional
Officer Pen, Taluka: Pen, District- Raigad do hereby solemnly affirm on
behalf of respondent nos. 3 to 5 as under:**

- 1 The Application of the Applicant is neither legal nor bonafide & it is not admitted by this Respondent Nos. 3 to5.
- 2 It is not true & correct to say that by mistake the Applicant made reference to Gat No.152 Village Bori, when it ought to have been Gat No.15, Village Shikri.

- 3 I say that Village Bori & Village Shikri are to different villages. There is no question of any mistake in identifying the two Gat Nos, as alleged by the Applicant.
- 4 I say that it is also no true & correct to say that the applicant realized the mistake only after visit by the Joint Committee constituted by this Hon'ble Tribunal.
- 5 I say that it is not true, correct & legal to say that proposed amendments do not change the nature of the proceedings or introduce all together new case. The Applicant must strictly prove the same.
- 6 I submit that the fact that applicant was not sure about the actual gat number where objectionable construction is carried out when he filed the original application itself shows that the original application is without any proper verification, inquiry by the Applicant.
- 7 I say that it is also not true to say that there are no boards showing the Gat numbers or survey numbers. It is submitted that the alleged properties are agricultural lands & there is no



provision in law to put any sign board showing the number of Gat number or survey number.

- 
- 8 I further say that the Applicant claims himself to be local villager he ought to have verified the records of the village before filling any complaint.
- 9 I also say that the Joint Committee report narrates that the representative of the applicant shown the Gat no. 15 to the members of the Joint Committee & upon the said representation the report is prepared & filed. It is clear that the applicant even today has not verified the facts proposed to be amended. On heresy submission there cannot be amendment to the original application.
- 10 I say that there is no provision to amend the original application is proceeding before the Nation Green Tribunal, the said provision under the Code of Civil Procedure are not applicable.
- 11 I submit that the proposed amendment would change the entire original application, its scope of hearing especially in view of

specific order date d30/05/2022 by this Hon'ble Court after hearing & considering the issues raised by the applicant.

12 I therefore pry that the present application deserves to be dismissed, the averment in Para 1 to 12 above are true & correct to the best of my knowledge, belief, information available with the office & I have signed this 27th day of December, 2022 at

I know the Affiant

Advocate

Vitthal Ganapati Inamdar
Vitthal Ganapati Inamdar

BEFORE ME *N. Bafna*

Adv. Narendra H. Bafna
B.Com, LLB
NOTARY Govt. of Maharashtra
Reg No. 1334/2019
C/o. Narendra Cloth Stores
L.B.S. Marg, Pen-Raigad-402107

Serial No. 1257
No. of Pages: 04
Date 27 / 12 / 20 22

