

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

Interlocutory Application No. 138/2024

IN

Appeal No. 83 of 2024

Mr. Tanaji Gambhire

...Appellant

v/s

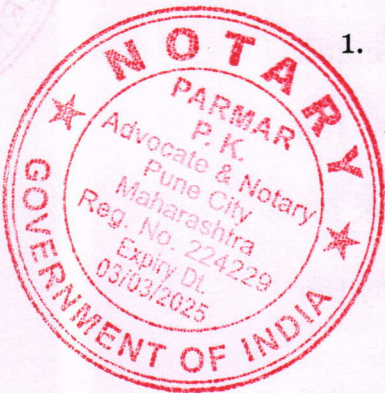
Union of India & Ors.

...Respondents

Affidavit in Reply

I, Mr. Sarvesh Vilas Javdekar, Age: 40 years, Occupation: Business, Address for Correspondence: 303-309, Siddharth Tower, Sangam press Road, Kothrud, Pune- 411038, being the Authorized Signatory of the Respondent No. 4 herein i.e. the Project Proponent do state on solemn affirmation that:

1. I state that I have read the contents of the Interlocutory Application No. 140/2024 and perused the documents filed by the Applicant. I am filing the present reply affidavit to contest the interlocutory application as the same is devoid of merits and liable to be rejected.



2. I state that the contents of the IA are false and frivolous.

I state that the delay of 56 days on part of the Applicant to file the Appeal is not liable to be condoned and hence, the IA is liable to be rejected.

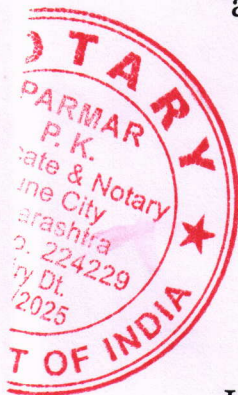
3. I state that it is the case of the Appellant that the website of the National Green Tribunal was not working from 03/03/2024 to 09/03/2024. It is the case of the Applicant was from 18/03/2024, the Applicant was suffering from severe health condition and has some family priorities to be attended urgently.

4. I state that both the reasons are not supported by any documents to that effect. I state that it is a settled principle of law that the burden / onus lies upon the Applicant to sufficiently explain the delay of each day. The reasons mentioned by the Applicant are vague and unsatisfactory. I state that reason as pleaded by the Applicant cannot be said to be sufficient cause for condonation of 56 days unexplained delay caused by the Application in filing the appeals.



- 5. I state that the pleadings regarding the merits of the appeal and the challenge to EC cannot be considered at the time of deciding the present IA which is for delay condonation. I state that the Applicant is attempting to prejudice the judicial mind of this Hon'ble Tribunal.
- 6. I state that in view of the aforesaid, the IA is liable to be rejected with heavy costs and the delay ought not to be condoned.

Whatever stated hereinabove is true and correct to the best of my knowledge and belief and I am executing the present reply affidavit on this 05th day of December 2024 at Pune

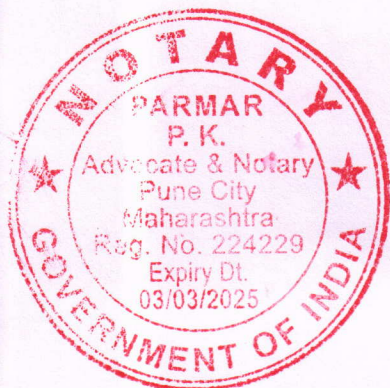


Sarvesh Vilas Javdekar
 Affiant
 Mr. Sarvesh Vilas Javdekar

I know the Affiant



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NOTED AND REGISTERED
 Sr.No. 2963 Page No. 176
 Date 05-12-2024

BEFORE ME
P.K. Parmar
 PARMAR P. K.
 ADVOCATE & NOTARY
 B-301, Overa Enciave,
 Bhawari Peth, Pune-411042.
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