

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

**ORIGINAL APPLICATION NO. 26/2024 (W.Z.)  
(Earlier Letter Petition O.A. No. 792/2023)(P.B)**

**“Pune: 6 dead in fire at candle making unit”**

**AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO. 4**

**Mrs. Shubhangi Sharad Sutar**

I, Mrs. Shubhangi Sharad Sutar aged 38 years, Occu: Nil R/  
At: Gat no. 405, Pimpri, Sandas, Ashtapur Phata, Tal: Haveli, Dist:  
Pune do hereby solemnly state and affirm as under:

1. I say that being the Licensee of M/s. Shivraj Enterprises (as the Shop Act License was in the name of Mrs. Shubhangi Sharad Sutar), the said unit manufactures sparkling candles that are used on birthday cakes. That the said unit has 15 workers for the manufacturing of sparkling candles. That the said unit caught fire on 08.12.2023 and 14 people passed away in the said tragic incident. The sparkling candle making unit is hereinafter called as “said unit”.

2. That when the said unit caught fire, 6 people passed away on the spot causing burns on their body and remaining persons were rushed to the Hospital for further treatment and during the course of treatment 8 people tragically passed away in the Hospital.
3. That Mrs. S.S. Sutar states that she was not even present at the time of incident and Mr. Sharad Raghunath Sutar used to look after the operations of the said unit.
4. That Mrs. S.S. Sutar states that Mr. Sharad Raghunath Sutar who is the husband of the Licensee of the said unit also sustained burn injuries due to said incident and was taken to the Hospital for further treatment. That Mr. Sharad Sutar had no nexus with the said premises nor was he involved in the causing of the said incident.
5. That Mrs. S.S. Sutar states that she had no intention in the causing of the said incident. That before the said incident all necessary care and precautions were taken by the Respondent no. 4.
6. That Mrs. S.S. Sutar states that there was no negligence from the hands of the Respondent no. 4 and there was a spark caused due to the grinding work which was ongoing in front

of the said unit at that time and therefore it resulted into an explosion and caught fire to the said unit.

7. That Mrs. S.S. Sutar states that the immediate cause of the explosion was an external factor beyond the Respondent's control. This breaks the actual casual chain and absolves the Respondent from strict liability.
8. That Mrs. S.S. Sutar states that as there is an absence of intention or recklessness, liability cannot be fastened on the Respondent no. 4.
9. That Mrs. S.S. Sutar states that F.I.R is already registered on her and other 4 persons including her husband. That she presently lodged in Yerawada Central jail. She only knows that, by news article that amount of Rs. 98,50,000/- is given to the relatives/legal heirs/injured persons (including all) and no compensation is paid by her or her husband.
10. That Mrs. S.S. Sutar states that apart from F.I.R there are 4 different cases under Factories Act, 1948/Maharashtra Factories Rules, 1963 before the Hon'ble Chief Judicial Magistrate, Pune for contravention found in the said unit.
11. That Mrs. S.S. Sutar states that the said unit was taken on rent and there were no contraventions as far as safety was

concerned and there was water tank with pipe was stationed at the unit to dose the fire, however the fire spread in just 10 seconds and there was no time to react

12. It is therefore prayed that considering the other cases which have already been filed and the compensation paid to the relatives/legal heirs/injured persons (including all) from various Govt. funds. That Mrs. Sutar along with her husband has 4 children and liability towards her home and with no source of income, considering all the situation necessary orders may kindly be passed.

### VERIFICATION

I, Mrs. Shubhangi Sharad Sutar, Age 38 years, do hereby state on solemn affirmation that whatever stated herein above is true to the best of my knowledge and based upon the information derived from the official records available to me.



Solemnly affirmed at Pune

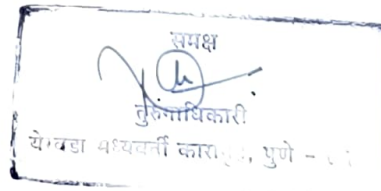
This 10<sup>th</sup> day of September, 2025

S. S. Sutar  
(Mr. Shubhangi S. Sutar)

DEPONENT



I identify the deponent  
(Y. D. Purohit)  
Adv.



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**AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO. 4**

**Mr. Sharad Raghunath Sutar**

I, Mr. Sharad Raghunath Sutar aged <sup>#</sup>52<sup>FN</sup> years, occu: nil.  
Resident at Gat no. 405, Pimpri, Sandas, Ashtapur Phata, Tal:  
Haveli, Dist: Pune do hereby solemnly state and affirm as under:

1. I say that being the husband of occupier of M/s. Shivraj Enterprises (as the Shop Act Licensee was in the name of Mrs. Shubhangi Sharad Sutar), the said unit manufactures sparkling candles that are used on birthday cakes. That the said unit has 15 workers for the manufacturing of sparkling candles. That the said unit caught fire on 08.12.2023 and 14 people passed away in the said tragic incident. The sparkling candle making unit is hereinafter called as “said unit”.

2. That when the said unit caught fire, 6 people passed away on the spot causing burns on their body and remaining persons were rushed to the Hospital for further treatment and during the course of treatment 8 people tragically passed away in the Hospital.
3. That Mr. S.R. Sutar states that he was present at the time of incident and he himself was injured in terms of bur injury of around 35% to 40%.
4. That Mr. S.R. Sutar states that he sustained burn injuries due to said incident and was taken to the Hospital for further treatment. That the Respondent n. 4 had no nexus with the said premises nor was he involved in the causing of the said incident.
5. That Mr. S.R. Sutar states that he had no intention in the causing of the said incident. That before the said incident all necessary care and precautions were taken by the Respondent no. 4.
6. That Mr. S.R. Sutar states that there was no negligence from the hands of the Respondent no. 4 and there was a spark caused due to the grinding work which was ongoing in front

of the said unit at that time and therefore it resulted into an explosion and caught fire to the said unit.


7. That Mr. S.R. Sutar states that the immediate cause of the explosion was an external factor beyond the Respondent's control. This breaks the actual casual chain and absolves the Respondent from strict liability.
8. That Mr. S.R. Sutar states that as there is an absence of intention or recklessness, liability cannot be fastened on the Respondent no. 4.
9. That Mr. S.R. Sutar states that F.I.R is already registered on him and other 4 persons including his wife. That he is presently lodged in Yerawada Central jail. He only knows that, by news article that amount of Rs. 98,50,000/- is given to the relatives/legal heirs/injured persons (including all) and no compensation is paid by her or her husband.
10. That Mr. S.R. Sutar states that apart from F.I.R there are 4 different cases under Factories Act, 1948/Maharashtra Factories Rules, 1963 before the Hon'ble Chief Judicial Magistrate, Pune for contravention found in the said unit against Mrs. S.S. Sutar.

11. That Mr. S.R. Sutar states that the said unit was taken on rent and there were no contraventions as far as safety was concerned and there was water tank with pipe was stationed at the unit to dose the fire, however the fire spread in just 10 seconds and there was no time to react.
12. That Mr. S. R. Sutar states that the workers working in the unit were paid 300-350 Rs. daily and payment were mostly cash payments.
13. It is therefore prayed that considering the other cases which have already been filed and the compensation paid to the relatives/legal heirs/injured persons (including all). That he along with his wife has 4 children and liability towards him and on home and with no source of income, considering all the situation necessary orders may kindly be passed.

## VERIFICATION


I, Mr<sup>s</sup>. Sharad Raghunath Sutar, Age 52 years, do hereby state on solemn affirmation that whatever stated herein above is true to the best of my knowledge and based upon the information derived from the official records available to me.

Solemnly affirmed at Pune  
This 8<sup>th</sup> day of September, 2025

  
(Mr. Sharad R. Sutar)  
DEPONENT



I identify the deponent  
(Y.D. Purohit)  
Adv.

  
10/09/25  
मंडळ पुरोगाधिकारी  
चेरवडा न्यायवर्ती कार्यालय, पुणे-०