

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



Appeal - 303/2025

Sushi Cafe

... Appellant

Versus

Goa Coastal Zone Management Authority

& Ors

... Respondent

AFFIDAVIT IN REPLY ON BEHALF OF RESPONDENT NO 5
WHITE RAJ RESORT.

I, Mr. Vladislav Bogomolov, 43 years of age, resident of Canacona Goa, The Authorized Representative for the Respondent No 5 herein, do hereby solemnly Affirm and state as under.

1. I say that I am the Authorized Representative on behalf of the Respondent No 5 Company and hence I am competent to Swear this Affidavit in Reply. I am aware of the facts in the present Appeal and deny the contents of the entire Appeal unless specifically admitted. Nothing herein may be deemed to be admitted for lack of a specific traverse.

For WHITE RAJ RESORTS PVT. LTD.

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Authorized Signatory

2. The Answering Respondent submits that they had filed a Complaint against the illegal structures of the Appellant to the Goa Coastal Zone Management Authority on 20.12.2023 and had annexed the Photographs and the Survey Plan of Survey No 80/1 Village Nagarcem – Palolem Goa. A copy of the Complaint dated 20.12.2023 along with the documents is hereto annexed and marked as **Annexure R5-1 (Colly)**.
3. From the Photographs itself it is quite clear that the café run by the Appellant is a permanent structure and have no permission from the GCZMA, nor is it is structure that is existing prior to 19.02.1991.
4. The Respondent no 1 GCZMA issued a Show Cause Notice dated 21.05.2024 and it was replied to by the Appellant on 18.02.2025. Upon a perusal of the said Reply it can be clearly seen that the Appellant had no documents to support her contention that the said structures are in existence since prior to 19.02.1991. The said reply is already on record along with the reply of the GCZMA

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5. Further Even in the Appeal, The Appellant has not produced a single document to support her contention that the said structures are in existence since prior to 1991.

6. The Appellant has deliberately remained absent on several occasions despite knowing that the said proceedings were pending before the GCZMA, thus it is inappropriate to allege that no opportunity of hearing was granted to them and in fact amounts to taking advantage of their own wrong, which is not permissible as per Law. Even otherwise, the Appellant had all the opportunity before this Hon'ble Tribunal to produce any documents to show that their structures are in existence since prior to 19.02.1991 but the same are not produced for the reasons best known to them. Thus it can be safely inferred that the Appellant has no such documents and thus is trying unfairly use the principle of *Audi Altrem Partem* which is not valid in case of a deliberate attempt to evade hearing.

7. The Answering Respondent is tired of the illegalities committed by the Appellant and despite of the Complaint being filed in the year 2023, the blatantly Illegal structures of the Appellant still continue being there at loco.

For WHITE RAJ RESORTS PVT

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10. With respect to the grounds of alleged improper Notice to the Appellant, it is submitted that the Appellant was very much present before the Respondent No 1 Goa Coastal Zone Management Authority. The whole purpose of a Notice is to inform a party about a particular proceeding. The Appellant was very much in the know of the said proceedings and has gone on to even file a reply to the Show Cause Notice which is already on record in the R1's Affidavit in Reply. Thus the ground of improper Notice is false and has no value in the eyes of the Law.

11. The Appellant is relying on a Municipal Tax Receipt dated 19.06.2025 to supposedly show that the structures are in existence since prior to 19.02.1991 thus it can be logically inferred that the Appellant has no documents to prove the existence of the structures since prior to 19.02.1991.

12. It is denied that the Answering Respondent is a rival commercial entity. In matters pertaining to CRZ Violations these are wholly irrelevant grounds and the Appellant is engaging in such submissions because they have no material to support their case and thus these are flimsy grounds sought to be raised by them.

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13. The Appellant has not produced a single document to show the existence of the structures prior to 19.02.1991 further there is no permission that they have obtained from the GCZMA whether in the nature of temporary structures nor permanent structures. Thus the Appellant has no documents to support the existence of the illegal structures and they deserve to be demolished.

14. Thus none of the grounds raised by the Appellant are valid and the Appeal deserves to be dismissed.

For WHITE RAJ RESORTS PVT. LTD.
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S. Shankar
Advocate for the Respondent No 5

Respondent No 5

Solemnly Affirmed at Goa on this 9th Day of April 2026



Solemnly affirmed before me by
Shri/Smt. *Vladislav Bosomoloo*
who is identified to me by
Shri/Smt. *Self*
To whom I personally known on
this *09th* day of *April 2026*
Reg. No. *79912026*

Anand
Smt. Anand Kavyanjali Kishor Nalk
Kavyanjali Kishor Nalk
NOTARY
CANACONA-GOA


WHITE RAJ RESORTS PRIVATE LIMITED.

C401, Ruby Residency, Chaudi,
Canacona, South Goa, Goa, 403702.
GSTIN 30AAACW6331P2Z7

Date: 20/12/2023

To:

1. **Office of Member Secretary**, Goa Coastal Zone Management Authority,
4th Floor, Dempo Towers, EDC Patto Plaza, Panaji, Goa
2. **The Deputy Collector of Canacona Taluka**,
Administrative Complex, Sheller, Canacona, Goa
3. **The Mamlatdar of Canacona Taluka**, Canacona, Goa
4. **The Chief Officer**, Canacona Municipal Council, Canacona, Goa

Sub: Complaint against **Sahil Sharma & Megha Madan (Sushi Café)** for illegal construction and illegal business in the property under S. No. 80/1 of Village Nagarcem–Palolem

Dear Sir/Madam,

White Raj Resorts is a Company incorporated under the Company Act and is the owner of the property under S. No. 80/1 of Village Nagarcem–Palolem situated at Colomb within the jurisdiction of Canacona Municipal Council, Canacona, Goa.

That the entire property under S. No. 80/1 of Village Nagarcem–Palolem falls within CRZ area and the constructions in the property are governed under its rules.

That Sahil Sharma & Megha Madan (Sushi Café) has carried out an **illegal construction** in the property without the consent of White Raj Resorts as well as without any permission of any nature. The structure is also not shown in the Survey Plan and neither the said person is allotted any land in the property by any of the concerned authority.

That Sahil Sharma & Megha Madan (Sushi Café) is carrying out business through the said illegal construction inside the property and as such the **business is also illegal**.

That entire act of Sahil Sharma & Megha Madan (Sushi Café) is against the building byelaws as **no permission** has been taken as also it is against the proprietary right of White Raj Resorts.

I on behalf of White Raj Resorts therefore file this Complaint against Sahil Sharma & Megha Madan (Sushi Café) for doing illegal business through illegal construction in the property under S. No. 80/1 of Village Nagarcem – Palolem without the consent of the owner as well as without the permission of the concerned authority.

Kindly requesting you to take necessary action to stop illegal business activity mentioned in the attached photographs and plans.

Thanking You,
Yours Sincerely
White Raj Resorts Pvt. Ltd.



FOR WHITE RAJ RESORTS PVT. LTD.
Tou
Authorized Signatory



GOVERNMENT OF GOA
 Directorate of Settlement and Land Records
 Office of Inspector of Survey and Land Records
 CANACONA -GOA

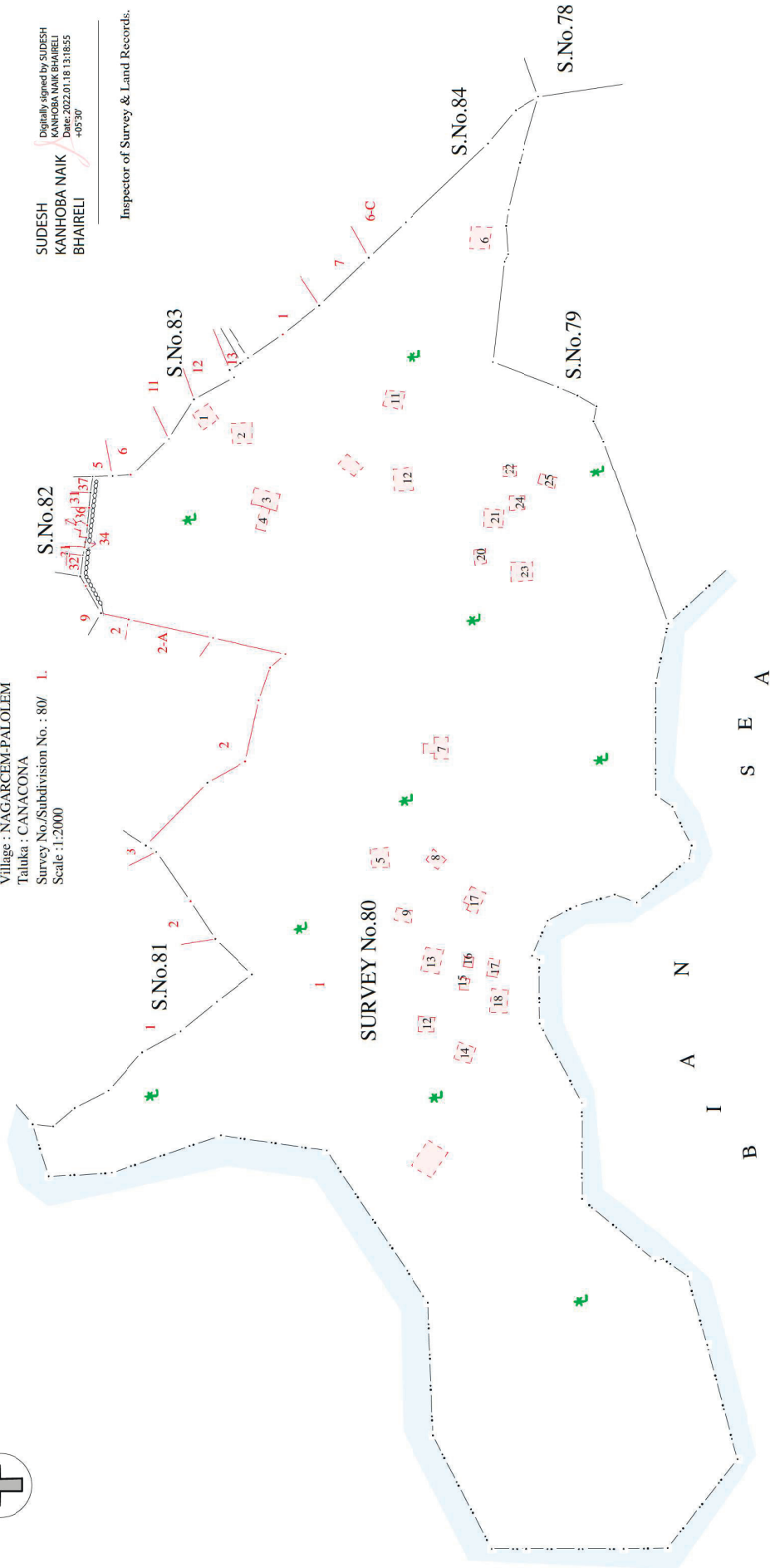
REV192208595



Plan Showing plots situated at
 Village : NAGARCEM-PALOLEM
 Taluka : CANACONA
 Survey No./Subdivision No. : 80/ 1.
 Scale : 1:2000

SUDESH
 KANHOPA NAIK
 BHAIRELI
 Digitally signed by SUDESH
 KANHOPA NAIK BHAIRELI
 Date: 2022.01.18 13:18:55
 +05'30'

Inspector of Survey & Land Records.



A3-SIZE



Generated By : Dinesh Naik (D.Man.Gr.II.)
 On : 07-01-2022.



FORM I & XIV

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Date : 21/09/2023

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Taluka CANACONA
तालुका
Village Nagorcem-Palolem
गांव
Name of the Field Colomb
शेताचें नांव

Survey No. 80
सर्वे नंबर
Sub Div. No. 1
हिस्सा नंबर
Tenure
सत्ता प्रकार

Cultivable Area (Ha.Ars.Sq.Mtrs) लागण क्षेत्र (हे. आर. चौ. मी.)

Dry Crop जिरायत	Garden बागायत	Rice तरी	Khajan खाजन	Ker केर	Morad मोरड	Total Cultivable Area एकूण लागण क्षेत्र
0000.00.00	0010.87.25	0000.00.00	0000.00.00	0000.00.00	0000.00.00	0010.87.25

Un-cultivable Area (Ha.Ars.Sq.Mtrs) नापिक क्षेत्र (हे. आर. चौ. मी.)

Pot-Kharab पोट खराब

Remarks शेरा

Class (a) वर्ग (अ)	Class (b) वर्ग (ब)	Total Un-Cultivable Area एकूण नापिक जामीन
0000.19.25	0000.00.00	0000.19.25

Grand Total एकूण
0011.06.50

LRC/COR/23/2008/AC-II/113 dated 10/3/2009
issued by Additional Collector-II, south Goa
District, Margao

Assessment : आकार	Rs. 0.00	Foro फोर	Rs. 0.00	Predial प्रेदियाल	Rs. 0.00	Rent रेंट	Rs. 0.00
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S.No.	Name of the Occupant कब्जेदाराचे नांव	Khata No. खाते नंबर	Mutation No. फेरफार नं	Remarks शेरा
1	Amalia Rodrigues Gomes e Figueiredo One		7380	
2	M/s White Raj Resorts Pvt. Ltd		9391	

S.No.	Name of the Tenant कुळाचे नांव	Khata No. खाते नंबर	Mutation No. फेरफार नं	Remarks शेरा
1	Putu Raghoba Pagui		9964	
2	Santosh Raghoba Pangui		9964	
3	Dilkush Raghoba Pagui		9964	

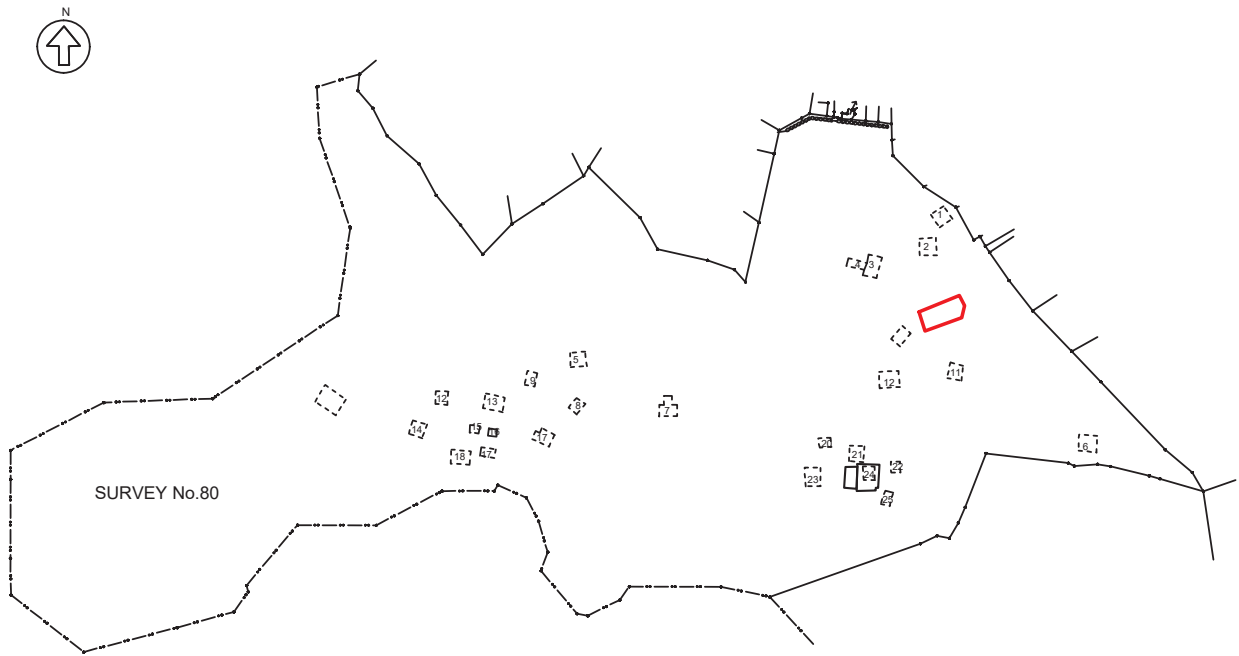


The record is computer generated on 21/09/2023 at 1:56:07PM as per Online Reference Number - 100017901057. This record is valid without any signature as per Government of Goa Notification No. 26/13/2016-RD/8639 dated 13/09/2021. The latest copy of this record can be seen/verified for authenticity on the DSLR website <https://dslr.goa.gov.in>



FOR WHITE RAJ RESORTS PVT. LTD.
Signature
Authentic Signatory

Plan Showing plots situated at
Village : NAGARCEM-PALOLEM
Taluka : CANACONA
Survey No./Subdivision No. : 80/1.



WHITE RAJ RESORTS PVT. LTD. GOA
FOR WHITE RAJ RESORTS PVT. LTD.
For
Authorized Signatory

Plan Showing plots situated at
Village : NAGARCEM-PALOLEM
Taluka : CANACONA
Survey No./Subdivision No. : 80/1.





FOR WHITE RAJ RESORTS PVT. LTD.

For
Authentic Signatory



