

BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH AT PUNE

ORIGINAL APPLICATION NO. 111 OF 2022

Elementa Phase I Co-operative Housing Society

Through its Secretary

Mr. Pravin Parshuram Farad

---- Applicant

V/s.

The Ministry of Environment,

Forest and Climate change,

Union of India

----- Respondents

AFFIDAVIT-IN-REPLY ON BEHALF OF THE RESPONDENT NO. 5

MAHARASHTRA METRO RAIL CORPORATION LTD.

I, Agniva Ghosh, Assistant Manager/Legal and authorised signatory of the Respondent No.5– Maharashtra Metro Rail Corporation Limited (Maha Metro) having office at First Floor, The Orion, Koregaon Park Road, Pune-411001 do hereby state on solemn affirmation as under:

1. That the Applicant Society has filed the present Application before this Hon'ble Tribunal U/s 14, 15 R/w Sec. 18 and 20 of the National Green Tribunal Act, 2010

2. That Maharashtra Metro Rail Corporation Limited (Respondent No. 5) is a Special Purpose Vehicle (SPV) company incorporated for the implementation of metro rail projects which is jointly owned by the Government of India and the Government of Maharashtra and all metro rail projects are covered under the provisions of the Metro Railways (Construction of Works) Act, 1978; the Metro Railways (Operation and Maintenance) Act, 2002; and the Railways Act, 1989, as amended from time to time.
3. That Respondent No. 5 is carrying out the work of Pune Metro Rail Project, comprising of two corridors. The Corridor I is from PCMC to Swargate and Corridor II is from Vanaz to Ramwadi.
4. That, the Applicant has erroneously impleaded Respondent No.5 in the present Application and has sent notice of Application on the address of Maharashtra Metro Rail Corporation Limited, having its corporate office at First Floor, The Orion, Koregaon Park Road, Pune- 411001. It is specifically submitted that there is no company, under the name Pune Metro. It is the name of project being undertaken by the answering Respondent.
5. That, the Applicant society has filed this current Original Application before this Hon'ble Tribunal regarding construction work being carried out by Respondent No. 6 i.e M/s Tata Project Limited at Tathawade, Taluka- Haveli, District- Pune. It is submitted that, the said location of work is outside the purview of work of Respondent No. 5 and it's implementing contractors and thus the said matter does not pertain to Respondent No. 5.

6. That it is most respectfully submitted that the Applicant has impleaded an incorrect party to this OA on account of aforesaid reasons and the subject matter of construction work does not pertain to Pune Metro Rail Project being executed by Maharashtra Metro Rail Limited, Respondent No. 5.

In view of aforesaid submission, it is requested to this Hon'ble Tribunal to delete the name of Respondent No. 5 from array of parties.

PUNE

DATE :24/01/2023

Anant S. Randive
DEPONENT



Advocate for the MahaMetro

Adv. Anant S. Randive

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PUNE

DATE : 24/01/2023

Agniva Ghosh
DEPONENT



Advocate for the MahaMetro
Adv. Anant S. Randive

[Signature]

BEFORE ME

[Signature]
MANGALA N. WAKHARE
ADVOCATE & NOTARY
GOVERNMENT OF INDIA

24 JAN 2023

