

BEFORE THE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH, PUNE

ORIGINAL APPLICATION NO. 57 OF 2024 (WZ)

Muralidhar Dattoba Nimankar --- Applicant

Versus

Maharashtra State Police Housing &

Welfare Corporation Ltd. & Ors. --- Respondents

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

I, Mr. Prashant S. Bhosale, I/C of Assistant Director of town planning, Age-36, the representative of Respondent No. 5 i.e. the Ichalkaranji Municipal Corporation, do hereby state on solemn affirmation that whatever is stated in below mentioned paragraphs is true and correct to my knowledge and belief;

1. I state and submit that vide order dated 02.05.2024 this Hon'ble Tribunal has directed the Respondent No. 5 i.e. the Ichalkaranji Municipal Corporation to verify and submit a detailed reply regarding legality or illegality of the house constructed by the applicant in City Survey Nos. 14493 and 14494 and to this effect a detailed survey

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was carried out the by concerned Town Planning Department of the Respondent No. 5 on 28.05.2024.

2. I state and submit that on 28.05.2024 site visit of above mentioned City Survey Nos. was carried out by the employees of the concerned department in the presence of the applicant i.e. Mr. MuralidharDattobaNimankar and his son Mr. Rahul MuralidharNimankar. The applicant has provided his Building Construction certificate on 30.05.2024. The findings of the site visit can be summarized with the help of below mentioned table.

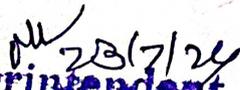
Sr. No.	Points	As per site plan mentioned in building permission	As per actual site visit
1.	Land	540.00 Sq. Mt.	574.75 Sq. Mt.
2.	Dimensions of Land :		
	a. North	17.55 Sq. Mt.	18.55 Sq.Mt
	b. South	18.05 Sq. Mt.	18.00 Sq.Mt
	c. East	31.00 Sq. Mt.	30.90 Sq.Mt
	d. West	29.79 Sq. Mt.	32.00 Sq.Mt
3.	Dimensions of Building :		
	a. North	North East : - 11.42 Sq. Mt	North East : -12.79 Sq.Mt
		North West : -4.45 Sq. Mt	North West : -6.42 Sq.Mt

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b. South	South East :	South East :
	-1.96 Sq. Mt	-1.51 Sq.Mt
c. East	South West :	South West :
	-1.52 Sq. Mt	-1.55 Sq.Mt
d. West	South East :	South East :
	-1.96 Sq. Mt	-3.83 Sq.Mt
	North East :	North East :
	-1.52 Sq. Mt	-3.75 Sq.Mt
	South West :	South West :
	-1.74 Sq. Mt	-0.93 Sq.Mt
	North West :	North West :
	-1.55 Sq. Mt	-1.18 Sq.Mt

3. I state and submit that, as per the details mentioned in the above table, it is pertinent to note that Shri. Muralidhar Nimankar has built excessive construction. He was permitted to build a building on Plot area of 540 Sq. Mt , wherein he has built a building on Plot area of 574.75 Sq.Mt. As per the details mentioned in the above table it has been observed that there are differences in the size of permitted plot area and marginal distances. At the same time Shri. Muralidhar Nimankar has started using his building without seeking occupancy certificate from the Municipal Corporation.

4. In view of the aforesaid facts I respectfully submits that, no reliefs sought in the said application can be granted to


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the applicant hereinand as such the above application is devoid of merits & liable to be dismissed. Hence appropriate order in the interest of justice may be passed.

Whatever stated herein above are true & correct to the best of my knowledge. And I believe the same is true & correct.

[Signature]

सहायक संचालक, नगररचना
इचलकरंजी महानगरपालिका

Solemnly affirmed at Kolhapur)

This 23rd day of July 2024)

.... Deponent

Aeechenal

Adv A.S. Ghatule

Identified & Explained by me.

Before me

Advocate for Respondent No. 2

Solemnly Affirmed before me by
Shri. *[Signature]* *Shamrao Bhosale*
of *[Signature]* *Ichalkaranji* who is
identified by *Smt. A.S. Ghatule Adv*
.....whom I know personally

Dated :- 23.7.24

[Signature]
Superintendent
Assistant Superintendent
Civil Div. Sr. Dn.
Ichalkaranji