

367



**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL**

**WESTERN ZONE BENCH, PUNE**

**AT PUNE**

**ORIGINAL APPLICATION NO. 93 OF 2023 (WZ)**



**IN THE MATTER OF**

**TALOJA INDUSTRIES ASSOCIATION (TIA)**

**..... APPLICANT**

**VERSUS**

**MINISTRY OF ENVIRONMENT, FOREST &  
CLIMATE CHANGE, GOVERNMENT OF INDIA**

**(MOEF & CC) & ORS**

**... RESPONDENTS**

**AFFIDAVIT IN REPLY OF RESPONDENT NO. 7 - CITY AND  
INDUSTRIAL DEVELOPMENT CORPORATION OF MAHARASHTRA  
LIMITED (CIDCO)**

I, Jagdish Bhaskar Patil, the authorized representative of the Respondent No.7, Age-45 Years, Designation- Sr. Planner (DP)(I/C), Planning Department, CIDCO Ltd. At CBD Belapur, Navi Mumbai after verifying all the records do hereby state on solemn affirmation that –

A. The Respondent No. 7 states that the present Application filed by the Applicant is totally false, misconceived and not maintainable in law.

*Jagdish Bhaskar Patil*



B. The present Application is nothing but a baseless attempt on the part of the Applicant and the Respondent No. 7 submits that the Applicant is deliberately and maliciously trying to drag Respondent No. 7 in the vexatious litigation. Also facts put forth by the Applicant in the present Application are misleading. Moreover the Applicant has not approached this Hon'ble Tribunal with clean hands and therefore does not deserve any equitable consideration from this Hon'ble Tribunal.

C. **WITHOUT PREJUDICE TO THE AFORESAID, THE PARA WISE REPLY TO THE SAID APPLICATION OF THE APPLICANT IS AS FOLLOWS-**

At the very outset, it is most respectfully submitted by the Respondent No.7 that unless specifically admitted all the contentions of the Applicant in the Application may kindly be treated as specifically denied by the Respondent No.7. The paragraph-wise reply to the Application of the Applicant is as follows:

1. In reply to the contents of Paragraph Nos. 1, 2 and 3 of the Application, the Respondent No. 7 states that the contents thereof are the matter of record and hence need no reply. However, any inferences drawn are denied to their entirety by the Respondent No.7.
2. In reply to the contents of Paragraph Nos. 4, 5 and 6 of the Application, the Respondent No. 7 states that the contents thereof are generally true and correct, however, any inferences drawn are denied to their entirety by the Respondent No.7.

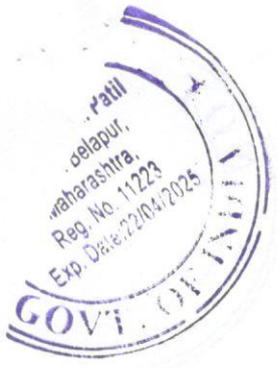


11/11/2025

3. In reply to the contents of Paragraph No. 7 of the Application, the Respondent No. 7 states that the contents thereof are false, and baseless and do not state the true nature of the facts and hence are denied to their entirety by the Respondent No.7. The Respondent No. 7 states that there are no residential developments in the CIDCO's NTDA Jurisdiction area, within 500 meters from Solid Waste Processing and disposal facilities at village Chal. Further, the Respondent No. 7 states that the Panvel Municipal Corporation, vide Notification dated 26/09/2016, is the authorised planning authority responsible for the area which is the matter of concern in the present Application. Furthermore, the Respondent No. 7 states that in Taloja Sector 31, plot no.1, mass housing was confirmed on 20/12/2019 and is under development for which all the necessary approvals was already taken by the Engineering Department for execution. The remaining part of Sector 31 and Sector 32 are earmarked for social facility use, commercial use as further development. The Respondent No. 7 states that *Clause no. 4.8 (ii)* of Unified Development Control and Promotion Regulation (UDCPR) For Maharashtra State reads as:

*"Any industry/industries may be permitted. Minimum buffer open space/set back (which may include marginal distance and road width if any) from the boundary of industrial building/use to residential or habitable zone/use, shall not be less than 23 m. Such buffer open space shall be kept in the land falling in the industrial zone. In case where construction has already taken place in the industrial zone, then such buffer open space may be kept in a Residential Zone.*

*Devi (1/19)*



*Provided that, the area under such buffer zone is utilized entirely for non-polluting industries, IT/ITES or like purposes, then such buffer zone/open space shall not be necessary. "*

Therefore, in the light of this, Respondent No. 7 reiterates that the present Application is baseless, misconceived and non-est in the eyes of law, and therefore, the present Application shall be dismissed in limine on this ground alone.

4. In reply to Paragraph Nos. 8 to 26, the contents thereof do not relate to or concern Respondent No. 7 and therefore, Respondent No.7 refrains from replying to the said paragraphs. However, any inferences drawn thereof are vehemently and expressly denied by the Respondent No. 7 in their entirety.
5. With reference to prayer clauses, the Respondent No. 7 states that, the present Application appears to be filed mainly for seeking compensation from each one of the Respondents mentioned therein. There is no cause of action against the Respondent No. 7. Hence, the present Application is not maintainable and liable to be dismissed with costs against this Respondent.
6. In these circumstances, it is respectfully submitted that the Application is misconceived and the Applicant is not entitled to any relief claimed against this Respondent and therefore, the Respondent No. 7 prays that the present Application be dismissed against the Respondent No. 7.

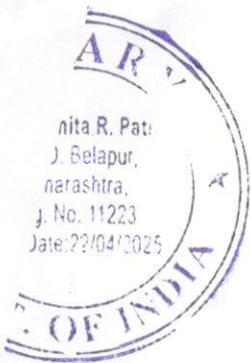


Respondent No. 7

*Sunita R. Patil*

**Senior Planner (DP)  
Planning Department  
4th Floor, CIDCO Ltd.,  
Navi Mumbai - 400 614.**

371



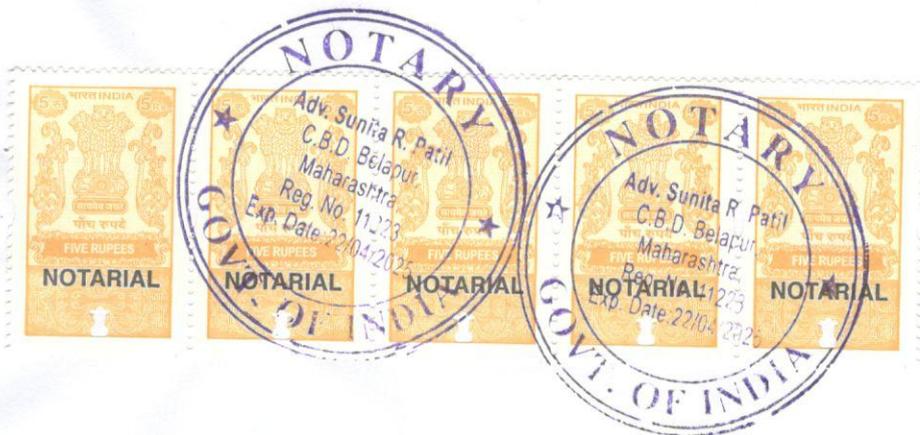
VERIFICATION

I affirm and state that whatever is stated hereinabove is true and correct to the best of my knowledge and information. Affirmed and signed on this 1st day of January 2024.

*Respondent*

Respondent No. 7

Senior Planner (DP)  
Planning Department  
4th Floor, CIDCO Ltd.,  
Navi Mumbai - 400 614.



**BEFORE ME**  
*Sunita R. Patil*  
*04/01/2024*  
**Adv. SUNITA RAM PATIL**  
M.Com., M.A., LL.M., G.D.C. & A  
ADVOCATE HIGH COURT  
Membership No. MAH/2006/2000  
**NOTARY (GOVT. OF INDIA)**  
Shop No. 26, Prabhat Centre,  
C B D Belapur, Sector 1A, Navi Mumbai-400614  
MOB.: 9867688788  
(SMS/WHATSAPP ONLY)  
NOTARIAL REG. NO. *235*  
PAGE NO. *32* BOOK NO. *104*  
DATE *04 JAN 2024*

*Seen & verified,*  
*CIDCO Employee*  
*Card No. 32534.*