

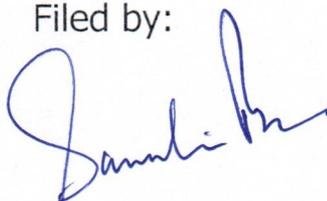
NATIONAL GREEN TRIBUNAL EASTERN ZONE BENCH, KOLKATA**ORIGINAL APPLICATION No. 92/ 2023/EZ**

(Dr. Ganesh Das and Others -*Versus*- M/s Arya Erectors Indi
Pvt. Limited and Others s

I N D E X

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Filed by:



Santanu Bora, Advocate

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Ph. No. 9864176825



SHAH SYED SAMADUR RAHMAN
NOTARY
Guwahati, Kamrup
Regd. No.-KAM.03
Expiry Date:06-03-2027



**NATIONAL GREEN TRIBUNAL EASTERN ZONE
BENCH, KOLKATA**

ORIGINAL APPLICATION No. 92/2023/EZ

IN THE MATTER OF :

Dr. Ganesh Das and Others

.... Applicants

-Versus-

M/s Arya Erectors India Pvt.
Limited and Others

....Respondents

AFFIDAVIT ON BEHALF OF RESPONDENT No. 3

I, Sri Debaraj Kalita, son of Late Dr. Urgakanta Kalita, aged about 54 years, presently holding the post of Town Planner, Guwahati Metropolitan Development Authority, Bhangagarg, Guwahati - 5



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Debaraj Kalita
Town Planner
Guwahati Metropolitan Dev. Authority

in the district of Kamrup (M), Assam, do hereby solemnly affirm and state as follows:

1. That I being the Town planner, Guwahati Metropolitan Development Authority and on being duly authorized to represent the respondent and being well conversant with the facts and circumstances of the case, I am competent to swear this affidavit. A copy of the Original Application filed by the applicant was served upon the answering respondent and after going through the same and having understood the contents thereof and I swear this instant affidavit – in - opposition.

Sebanj Kalita
Town Planner
Guwahati Metropolitan Dev. Authority

2. That saves and except the statements, which are matters of records and specifically admitted, all other averments made in the Original Application be treated as denied and disputed by the answering deponent.

3. That the answering deponent begs to state that before replying to paragraph averments of the application, the answering deponent begs to state



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that answering respondent is arrayed as a formal respondent, as no prayer of the applications is directed against the answering respondent.

4. That as regard to statements made in paragraph 1,2,3,4 and 5 of the application, the answering deponent begs to offer no comment.

5. That as regard to statements made in paragraph 6 and 7 of the application, the answering deponent begs to offer no comment being matters of law.

6. That as regard to statements made in paragraph 8 and 9 of the application, the answering deponent begs to offer no comment.

7. That as regard to ground A, B, C, D, E, F and G of the Original Application dates back to 21.01.14, as such under section 14 (3) of the National Green Tribunal Act, 2010 barred by limitation.

8. That as regard to ground H of the Original

Belawaj Kalita
Town Planner
Guwahati Metropolitan Dev. Authority



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Application, the answering deponent begs to state part Occupancy Certificate u/s 17 of the building bye law was issued as to the portion of the project standing without violation of the approved plan / NOC.

9. That as regard to ground I of the Original Application, the answering begs to offer no comment being not directly attributed to the answering deponent.

10. That as regard to ground J of the Original Application, the answering begs to offer no comment.

11. That as regard to ground K, L and M of the Original Application, the answering begs to offer no comment.

12. That the statements made in paragraph 2,3,4,5,6,7,9,10 and 11 of this affidavit are true to my knowledge and belief, those made in paragraph 1 and 8 being matters of records which I believe to be true and rest are my humble submission before this Hon'ble Court.



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Shah Syed Samadur Rahman

Town Planner
Guwahati Metropolitan Dev. Authority



That the declarations made in the above paragraphs are true and it conceals nothing and that no part of it is false, so help me God.

And I sign this affidavit on this the 16th day of February 2024 at Guwahati.

Delewaraj Kalita
DEPONENT

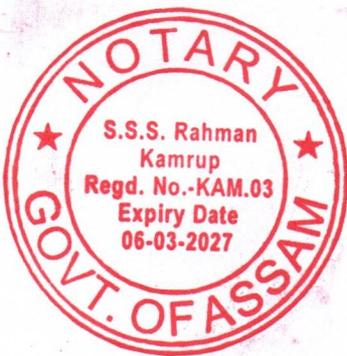
Town Planner
Guwahati Metropolitan Dev. Authority

Identified by me:

Shankar Bora

Advocate

Solemnly affirmed before me this day, I certify that I read over and explained the contents to the declarant and that the declarant seemed perfectly to understand them.



Shah Syed Samadur Rahman

SHAH SYED SAMADUR RAHMAN
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09
16-02-2024