

BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) CHENNAI

Application No. 37/2023

BETWEEN:

SRI. PARAMESH. V

..... Applicant

AND

THE DEPUTY COMMISSIONER

AND OTHERS

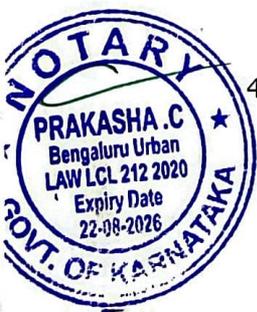
..... Respondents

AFFIDAVIT

I, **P. V. Raghava Rao**, aged about 66 years, Managing Director – M/s. Sai. Sravanthi Infra Projects Pvt. Ltd., #601, PAVANI VISISTA, Saibaba Temple Road, Greengarden Layout, Munikolala, Bangalore-560037, **the Respondent No.10** do hereby solemnly affirm and state on oath and swear accordingly as follows:

1. I submit that, at the outset, it is prayed that this affidavit may be read as part and parcel of the earlier objections filed on 18.07.2024 and the affidavit filed on 31.01.2025 by me. I submit that, this affidavit is filed in compliance of the Order dated **05.02.2025** passed by this Hon'ble Tribunal.
2. I submit that, I am constructing a multi-storied apartment in the name of "Pavani Mirabilia" in Survey No. 21/1, 21/2, 21/3, 22, 23, 124 and 125 of Seeghalli Village, Bidrahalli Hobli, Bangalore East Taluk, Bengaluru Urban District and during the said construction I have followed the due procedures and abided by all the governing laws and have not encroached nala and the buffer zone.
3. I submit that, as per the Order dated 26.09.2024 for filing the fresh Report from the Respondent No.3 (BDA). That, in compliance of the said Order the Commissioner, BDA had filed a Spot Inspection Report dated 03.02.2025 before this Hon'ble Tribunal on 05.02.2025. That, the Spot Inspection Report was conducted by the Executive Engineer, East, BDA on 31.01.2025. That, during the said inspection the said BDA had found that a tertiary nala was passing through the Sy. No's.22, 23, 124/1 and 125/1 and I have not undertaken any construction activity in the nala and the buffer area.

4. I submit that, I have maintained the nala area with proper drainage level on both the upstream and downstream sides, as per the



development plan issued by the BDA and the Report filed by the Commissioner, BDA dated 03.02.2025 also reflects the same. The said nala area has been maintained clear, up to the buffer boundary. It is pertinent to mention that, as per the recent photographs and the said Spot Inspection Report submitted by the Commissioner, BDA dated 03.0.2025, it is crystal clear that there is no encroachment of nala or buffer zone made by me during the construction of the said project. The Photographs are hereby produced as **ANNEXURE-1.**

5. I submit that, the Nala which is alleged to be encroached is in its Original state without any encroachment and the same is evident from the Reports filed by the ALL the Government Authorities and the photographs of the project place which are produced as Annexure-1. I further state that, this Application filed by the Applicant is neither sustainable in law nor in fact and all his allegations are refuted with relevant records from the concerned authorities.
6. I submit that, as per the Order of this Hon'ble Tribunal all the Respondents have filed their respective Reports and in the said Reports it was clearly stated that I, the Project Proponent herein have not encroached the nala or the buffer zone. That, thereafter this Hon'ble Tribunal has directed the SEIA/BDA to file a Report for confirming the said earlier Reports. That, on oral submission made by the counsel appearing for SEIA, this Hon'ble Court had directed the BDA to submit the said Report and in compliance of the said Order of this Hon'ble Tribunal, the Commissioner, BDA has filed the Spot Inspection Report on 03.02.2025. That, immediately after the Spot Inspection by the BDA Authorities on the same day, I had taken the photographs of the nala area and filed an Affidavit before this Hon'ble Court. The date on the Photographs (GPS) reflects the same.
7. **I submit that, I have obtained substantial amount of loans from several banks for the development of the project and have invested huge amounts towards its completion. Additionally, more than 600 buyers have invested their hard-earned money in purchasing flats and are continuously paying their EMIs to the concerned banks. The pendency of the present case has created uncertainty in the minds of both existing buyers and**



prospective buyers, thereby affecting the progress of the project and causing immense hardship and irreparable lose to all stakeholders involved. That, even the Applicant is aware that no encroachment is made by me, the project proponent herein and the Applicant after filing the above case is not appearing before this Hon'ble Tribunal since May, 2024. The above case was filed only to harass me and to abuse the process of law. Hence, the above case is false, frivolous & malafide and is liable to be dismissed with exemplary costs.

8. I submit that, as per the requirement I have left the required buffer zone on both sides of the nala. That, a 15-meter buffer zone is maintained on both the sides of the nala and as per the revenue guidelines and further as per the directions of this Hon'ble Tribunal plants have been grown in the said buffer zone area. Hereinafter, the entire buffer zone on either side and abutting the nala shall be utilized for growing the samplings and plantations purpose only and I hereby confirm that I do not put any permanent structures in the foresaid area at present and in future. I submit that, there is no false statement and concealment of material facts, I have included information that is accordingly relevant in the present petition.

WHEREFORE, the respondent prays that this Hon'ble Tribunal may be pleased to dismiss the original application with exemplary costs, in the interests of justice.

VERIFICATION

I, **P. V. Raghava Rao**, aged about 66 years, Managing Director – M/s. Sai Sravanthi Infra Projects Pvt. Ltd., S/o late Sri. Venkateshwara Rao, aged about 63 years, Respondent 10 herein, do hereby declare that the contents of the objection statement are true to the best of my knowledge, information and belief and I have not suppressed any material fact.

Identified by me

AKL
KAR-849/2018
Advocate

Date: 20 MAY 2025




Deponent

SWORN TO BEFORE ME

PRAKASHA. C, BA., LL.B.,
ADVOCATE & NOTARY
EWS # 16/2, 1st Cross, 2nd Main,
KHB, Basaveshwara Nagar
BENGALURU - 560 079

20 MAY 2025

BEFORE THE NATIONAL GREEN TRIBUNAL (SZ) CHENNAI

APPLICATION NO.37 OF 2023

BETWEEN:

SRI. PARAMESH. V

..... APPLICANT

AND

THE DEPUTY COMMISSIONER & OTHERS

..... RESPONDENTS

VERIFYING AFFIDAVIT

I, **P. V. Raghava Rao**, aged about 66 years, Managing Director – Sai Sravanthi Infra Projects Pvt. Ltd, #601, PAVANI VISISTA, Saibaba Temple Road, Greengarden Layout, Munikolala, Bangalore-560037 the respondent No. 10 do hereby solemnly affirm and state on oath and swear accordingly as follows:

1. I affirm that I am the respondent No.10 in the above case and as such, I am conversant with the facts and circumstances of the case hence competent to swear this affidavit.
2. I affirm that the averments made in the accompanying statement of objections from paragraphs 1 to 8 are true and correct to the best of my knowledge, information and belief.

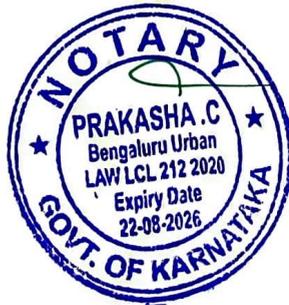
Identified by me

ARL
Advocate

Date: 20 MAY 2025

Bangalore

[Signature]
Deponent



SWORN TO BEFORE ME
[Signature]
PRAKASHA. C, BA., LL.B.,
ADVOCATE & NOTARY
EWS # 16/2, 1st Cross, 2nd Main,
KHB, Basaveshwara Nagar
BENGALURU - 560 079

20 MAY 2025

Before



After

