

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH PUNE, AT PUNE

ORIGINAL APPLICATION NO. 114 OF 2025 (WZ)

IN THE MATTER OF

Sameer Mahadev Khale

...Applicant

VERSUS

M/s Kumbare Stone Crusher & Ors.

...Respondents

**REJOINDER TO THE REPLY DATED 08.12.2025 FILED BY THE
RESPONDENT NO. 2.**

(FOR INDEX KINDLY SEE INSIDE)

ADVOCATES FOR THE APPELLANT:

Sangramsingh R. Bhonsle, Nrupal A. Dingankar, Pushkara A. Bhonsle,

Sneha Bhonsle, Naman Sherstra & Sanmitra Y. Pol

Office at: H-5, Second Floor, Lajpat Nagar III, New Delhi.

Contact: 95458 09120

Email: srb.chambers@gmail.com

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INDEX

S.NO.	PARTICULARS	PAGES
1.	Rejoinder to the Reply dated 08.12.2025 filed by the Respondent No. 1 along with Affidavit in Support.	204-211
2.	<u>ANNEXURE R-1:</u> A copy of the Affidavit in Reply dated 18.02.2026 filed by the Respondent No.2 herein in Writ Petition (Civil) No.17165 of 2025.	212-215
3.	<u>ANNEXURE R-2:</u> A copy of the Inspection Report dated 09.02.2026 of the Respondent No.2 herein.	216-217

4.	<u>ANNEXURE R-3:</u> A copy of the Status Report dated 09.02.2026 prepared by the Respondent No.2 herein.	218-219
5.	Proof of Service	220



ADVOCATES FOR THE APPELLANT:

Sangram Singh R. Bhonsle,
Nrupal A. Dingankar, Pushkara A. Bhonsle,
Sneha Bhonsle, Naman Sherstra &
Sanmitra Y. Pol

Date: 25.02.2026
Place: New Delhi

Office at: H-5, Second Floor, Lajpat Nagar
III, New Delhi.
Contact: 95458 09120
Email: srb.chambers@gmail.com

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...Applicant

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M/s Kumbare Stone Crusher & Ors.

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REJOINDER TO THE REPLY DATED 08.12.2025**FILED BY THE RESPONDENT NO. 2.**

TO,

THE HON'BLE CHAIRPERSON

AND THE HON'BLE COMPANION MEMBERS,

OF THE HON'BLE NATIONAL GREEN TRIBUNAL.

It is most respectfully submitted on behalf of the Appellant as under:

1. The present Application has been filed by the Applicant raising alleged substantial issue relating to the environment pertaining to the alleged illegal operation of Stone Crushing Unit by Kumbare Stone Crushers i.e. Respondent No.1 at Survey No. 735, Village Urawade, Taluka Mulashi, District Pune, (herein after referred to as the "*Impugned site*").
2. The Respondent No.2, i.e. The Maharashtra Pollution Control Board has filed the Reply dated 08.12.2025 and the Respondent No.1 herein is filing the present rejoinder in terms of the order of this Hon'ble Tribunal dated 09.12.2025. At the outset, it is submitted that the averments made and contentions raised by the

Respondent No.2 in its Reply dated 08.12.2025 are denied *in toto* and no portion of the Reply dated 08.12.2025 shall be deemed to have been admitted by the Respondent No.2 herein, unless specifically admitted. Further none of the contentions in the Reply dated 08.12.2025 shall be deemed to be admitted for reasons of non-traverse.

3. The Respondent No.1 has already filed a Reply dated 07.12.2025 to the present Original Application and has also produced relevant documents therewith. The Respondent No.1 seeks to rely on the Reply dated 07.12.2025 and the documents produced therewith, and the same have not been repeated herein for the sake of brevity and convenience.
4. The Respondent No.2 vide Reply dated 08.12.2025 has primarily relied upon the Closure Directions dated 20.11.2025 to establish that the Respondent No.1 has violated the conditions of the Consent to Operate granted by the Respondent No.2 to the Respondent No.1. At the outset, the Respondent No.1 seeks to address the said issue raised by the Respondent No.2, on the following grounds:
 - a. The Respondent No.2 issued the Proposed Direction dated 02.09.2025 to the Respondent No. 1 u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. Thereafter, the Respondent No.2 also conducted a site visit on 18.11.2025 at the Impugned site. Vide the said site visit, the Respondent No.2 noted certain non-compliances by the Respondent No.1 in the operation of the stone crusher of the Respondent No.1. In terms thereof, the Respondent No.2 on 20.11.2025 issued Closure Directions to the Respondent No.1 u/s 33A of the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. The Respondent No.1, aggrieved by the issuance of Closure Directions dated 20.11.2025 by the Respondent No.2, approached the Hon'ble High Court of Judicature at Bombay in Writ Petition

(Civil) No.17165 of 2025 thereby challenging the Closure Direction dated 20.11.2025.

- b. Thereafter, Writ Petition (Civil) No. 17165 of 2025 was listed before the Hon'ble High Court on 24.12.2025 and the Hon'ble High Court was pleased to direct the Respondent No. 2 herein to conduct a site visit to affirm whether the unit of the Respondent No. 1 was in compliance of the relevant conditions imposed by the Respondent No. 2.
- c. In terms thereof, the Respondent No. 2 herein, after conducting a Site Visit at the Impugned Site on 09.02.2026, filed an Affidavit in Reply to Writ Petition (Civil) No. 17165 of 2025 dated 18.02.2026. On a bare perusal of the Affidavit in Reply dated 18.02.2026, it is evident that on the Respondent No. 2 making a Site Visit at the Impugned Site dated 09.02.2026, the Respondent No. 2 found that the Respondent No. 1 had complied with all the conditions as mentioned in the Closure Directions dated 20.11.2025. Furthermore, vide the Inspection Report dated 09.02.2026, the Respondent No. 2 recorded the compliances made by the Respondent No. 1,

“1. The stone crusher activities were not found in operation due to disconnection of electricity supply

2. Provided GI sheet covering to Vibrating Screen from all side. A copy of Invoice dtd. 03/10/2025 in the name of Pradnya Teen Roofing Sheets along with proof of payment produced by the PP is verified & is true.

...

4. Provided GI Sheet covering to convey belts for that PP has paid the amount of Rs. 66428/- vide invoice dtd. 14/04/2025 to Pradnya Teen Roofing Sheets is verified & is true.

5. Provided water sprinkling arrangement at the internal premises as well as to the conveyer belts, ramp jaw crushers, primary, screening section at the periphery of compound wall for that PP has paid the payment to Ankeet Hardware stores. The proof of payments produced is verified & true.

...

10. *The PP has provided the GI sheet metal compound from 03 sides as one side is covered by natural hill.*
11. *Provided water sprinklers at internal roads, to the crushing & screening sections, conveyer belts at the inlet & outlet points & towards the periphery of the premises.*
12. *Provided GI sheet metal covering & green shed net cover to primary, secondary & tertiary sections along with screens & conveyer belts.*
13. *PP has planted trees towards the compound wall & remaining plantation is in progress.*
14. *PP has removed all debris I sludge which is previously stored in the premises & remaining 25 to 30% removal work is in progress & it will be completed within next 15 days as informed by the PP.”*

A copy of the Affidavit in Reply dated 18.02.2026 filed by the Respondent No.2 herein in Writ Petition (Civil) No.17165 of 2025 is enclosed herewith and marked as **ANNEXURE R-1.**

A copy of the Inspection Report dated 09.02.2026 of the Respondent No.2 herein is enclosed herewith and marked as **ANNEXURE R-2.**

A copy of the Status Report dated 09.02.2026 prepared by the Respondent No.2 herein is enclosed herewith and marked as **ANNEXURE R-3.**

PARAWISE REPLY:

5. The contents of para 1 and 2 of the Reply dated 08.12.2025 do not require any Reply from the Respondent No.1.
6. The contents of para 3 that the Respondent No.2 granted a Consent to Operate dated 24.09.2018 to the Respondent No.1 are a matter of record and thus, need no Reply from Respondent No.1.

7. The contents of para 4 that the Respondent No.2 granted a Renewal of Consent to Operate dated 21.09.2022 to the Respondent No.1, which is valid upto 31.07.2026 are a matter of record and thus, need no reply from Respondent No.1.
8. The contents of para 5 of the Reply dated 08.12.2025 that the Respondent No.2 issued Proposed Direction to the Respondent No.1 for operating without Consent to Establish and Consent to Operate are a matter of record and require no reply from the Respondent No.1.
9. The contents of para 6 of the Reply dated 08.12.2025 are facts, which are not within the knowledge of the Respondent No.1 and thus, need no Reply from the Respondent No.1.
10. The contents of the para 7 of the Reply dated 08.12.2025 regarding site visit conducted by the Respondent No.2 on 18.11.2025 are a matter of record and require no Reply from the Respondent No.1.
11. The contents of para 8 of Reply dated 08.12.2025 that the Respondent No. 2 issued Closure Directions to the Respondent No.1 on 20.11.2025 are a matter of record and require no Reply from the Respondent No.1.
12. The contents of para 9 of the Reply dated 08.12.2025 require no Reply from the Respondent No.1.
13. Therefore, it is submitted that, in terms of the site inspection dated 09.02.2026 carried out by the Respondent No.2 and the subsequent Reply Affidavit dated 18.02.2026 filed by Respondent No.2 before the Hon'ble High Court of Judicature at Bombay in Writ Petition (Civil) No.17165 of 2025, it is most respectfully submitted that the Respondent No.1 has made due compliance of all

the conditions in the renewal of Consent to Operate dated 21.09.2022 as well as the conditions in the Closure Directions dated 20.11.2025. Therefore, the unit of the Respondent No.1 is fully compliant with all the necessary conditions for the operation of stone crusher units.



ADVOCATES FOR THE APPELLANT:

Sangram Singh R. Bhonsle,
Nrupal A. Dingankar, Pushkara A. Bhonsle,
Sneha Bhonsle, Naman Sherstra &
Sanmitra Y. Pol

Office at: H-5, Second Floor, Lajpat Nagar
III, New Delhi.

Contact: 95458 09120

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Date: 25.02.2026

Place: New Delhi

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

WESTERN ZONE BENCH PUNE, AT PUNE

ORIGINAL APPLICATION NO. 114 OF 2025 (WZ)

IN THE MATTER OF

Sameer Mahadev Khale

...Applicant

VERSUS

M/s Kumbare Stone Crusher & Ors.

Respondents

AFFIDAVIT

I, Mr. Shivaji Namdeo Kumbare, Age: Adult, Occ.: Buisness, R/at: Shrinam Bunglow, S. No. 85, Azadnagar, Kothrud, Pune City, Ex-Servicemen Colony, Pune, Maharashtra-411038 do hereby solemnly affirm and state as under:

1. That I am the proprietor of the Respondent No. 1 in the above-stated Original Application. I am conversant with the facts and circumstances of the case and as such competent to swear the present Affidavit.
2. That the contents of the Paras 1 to 13 of the Rejoinder are facts true to my knowledge and contains submissions and prayers to this Hon'ble Tribunal based on legal advice and the same is believed to be true and correct.

3. That the Annexures enclosed along with the present Rejoinder, if any are true copies of their respective originals.

[Signature]
DEPONENT

VERIFICATION

Verified at Pune on this 25th day of February, 2026 that the contents of the present Affidavit are true and correct and nothing material has been concealed therefrom.

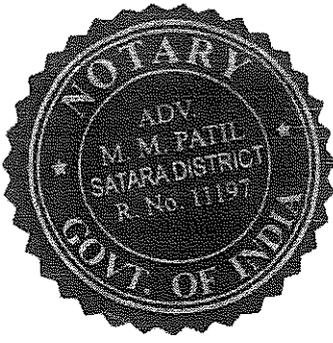
[Signature]
DEPONENT



NOTED AND REGISTERED
AT SR. NO. 530/2026
DATE: 25 FEB 2026

BEFORE ME

[Signature]
PRAKASH M. DAMBRE
NOTARY, GOVT. OF INDIA
PUNE



Annexure R-1

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 17165 OF 2025

M/s. Kumbare Stone Crusher

...Petitioner

Versus

Maharashtra Pollution Control Board & Ors.

...Respondents

AFFIDAVIT IN REPLY ON BEHALF OF THE RESPONDENT

NOS. 1 & 2 (MPCB):

I, B. M. Kukade, Aged- Adult, the Regional Officer of the Maharashtra Pollution Control Board at Pune i.e. Respondent Nos. 1 & 2 abovenamed, having my office at Jog Center, 2nd Floor, Wakdewadi, Pune-411 003, do hereby state on solemn affirmation as under:-

1. I have perused the papers and proceedings of the above matter. I have also perused the office files pertaining to the subject matter. I have perused the order dated 24th December, 2025 passed by this

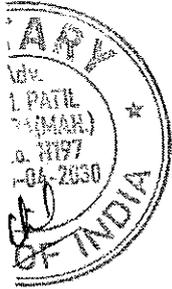


Hon'ble Court and in compliance thereof I am filing the present Affidavit in Reply.

2. I say that the present Writ Petition has been filed by the Petitioner challenging the Closure Directions dated 20th November, 2025 issued by this Respondent Nos. 1 & 2 be quashed and set aside.
3. I say and submit that this Respondent No. 2 has granted renewal of Consent to Operate to the Petitioner on 21st September, 2022 for a period up to 31st July, 2026. I further say and submit that this Respondent has received complaint from some villagers regarding air pollution and accordingly after inspection of unit this Respondent No. 1 & 2 issued the Proposed Directions to the Petitioner on 2nd September, 2025 for non-compliance of Consent Conditions.
4. I say and submit that thereafter, this Respondent Nos. 1 & 2 visited the Petitioner's stone crusher unit on 18th November, 2025 to verify the compliance of the Proposed Directions and found non-compliances of the Consent Conditions and therefore this Respondent Nos. 1 & 2 have issued Closure Directions on 20th November, 2025.



5. I say and submit that the Petitioner has challenged the said Closure Direction by way of this present Writ Petition and while hearing of this Petition, the Petitioner filed Additional Affidavit annexed all invoices wherein the Petitioner purchased Gi Sheet, Pipes and Steel. I further say and submit that this Hon'ble Court vide Order dated 24th December, 2025 has directed this Respondent Nos. 1 & 2 to inspect Petitioner's firm on 26th December, 2025 and also directed the Petitioner to provide access to all records to this Respondents.



6. I say and submit that this Respondent Nos. 1 & 2 has inspected the Petitioner's Stone Crusher Unit on 9th February, 2026 and verified the invoices mentioned in the Additional Affidavit of the Petitioner and it is found true and correct and after inspection of Stone Crusher Unit, it was also found that the Petitioner has complied with the conditions mentioned in the Closure Directions dated 20th November, 2025. Hereto annexed and marked as **Exhibit - "A"** is the copy of the Inspection Report dated 09.02.2026 and **Exhibit - "B"** is the copy of then Status Report dated 09.02.2026.

7. In view of the foregoing submissions, this Respondent Nos. 1 & 2 humbly prays that the Hon'ble Court may be pleased to pass such order as deemed fit in the interest of justice.

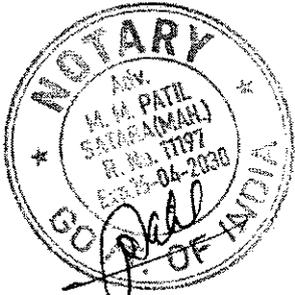
Solemnly affirmed at Mumbai)

This 18 day of February, 2026.)

B. M. Kukade
(B. M. Kukade)
Regional Officer- Pune
MPCB

M. S. Patil

Advocate for Respondent No. 1 & 2



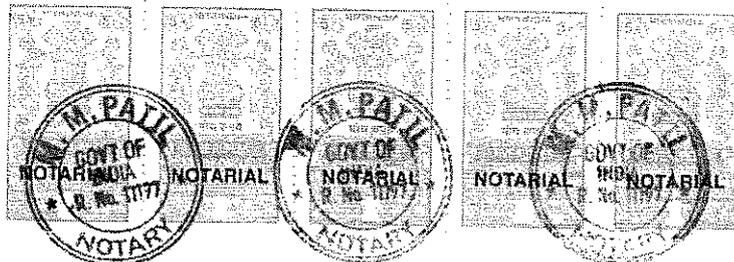
B. M. Kukade
Regional Officer, MPCB, Pune

B. M. Kukade
TRUE COPY

BEFORE ME

M. S. Patil
ADV. MAHESH M. PATIL
NOTARY, GOVT OF INDIA
Reg. No. 11197 SATARA (MAH)
Mob.: 9822677644

NOTED & REGISTERED AT
SR. NO. 741/2026
DATE: 18/02/2026



Annexure R-2

 <p>Ph. No. 9422742901 E-mail: sropune2@mpcb.gov.in Website: www.mpcb.gov.in</p>	<p>Maharashtra Pollution Control Board Sub Regional Office, Pune-II</p>  <p>"Your Service is our duty"</p>	<p>216</p>  <p>2nd Floor, Jog Center Bldg. Mumbai-Pune Highway, Wakdewadi, Pune-411 003</p>
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-: Inspection Report :-

Date: 09/02/2026

In compliance with the Writ Petition No. 17165 of 2025 in the Hon'ble Court, Bombay. Visited the site of M/s. Kumbare Stone Crusher, Gat No. 735, Village Urawade, Tal. Mulshi, Dist. Pune on 09/02/2026 and observed that:-

1. The stone crusher activities were not found in operation due to disconnection of electricity supply.
2. Provided GI sheet covering to Vibrating Screen from all side. A copy of Invoice dtd. 03/10/2025 in the name of Pradnya Teen Roofing Sheets along with proof of payment produced by the PP is verified & is true. (A-2 colly.)
3. A copy of the salaries paid to the laborers by the PP for the period from 01/10/2025 to 15/10/2025 produced by the PP is verified & is true. (A-3 colly.)
4. Provided GI Sheet covering to convey belts for that PP has paid the amount of Rs. 66428/- vide invoice dtd. 14/04/2025 to Pradnya Teen Roofing Sheets is verified & is true. (A-6 colly.) as per invoice it is Rs. 65519/-
5. Provided water sprinkling arrangement at the internal premises as well as to the conveyer belts, ramp jaw crushers, primary, screening section at the periphery of compound wall for that PP has paid the payment to Ankeet Hardware stores. The proof of payments produced is verified & true. (A-9 colly.)
6. A copy of invoice dtd. 31/12/2025- payment paid to Trimurti Steel Corner of Rs. 40,000/- & Rs. 30,000/- is verified & is true for purchasing of cement bags as per Exhibit A-13 (colly.)
7. A copy of invoice dtd. 08/01/2025 amounting of Rs. 1,09,722/- paid to Vijay Steels for purchasing of GI Sheets is verified & is true. Exhibit A-16 (colly.)
8. A copy of invoice dtd. 20/09/2025 & 26/09/2025, amount Rs. 1,28,898/- paid to Teerth Bright Steels for purchasing of Pipes, Steels & bright basis is verified & is true. Exhibit A-17 (colly.)

9. A copy of invoice dtd. 27/10/2025, Rs. 6975/- & Rs. 20,480/- & Rs. 11,375/- for procurement of trees from Pushpalaxmi Rose Nursery has been verified & is true. Exhibit A-19 (colly.)
10. The PP has provided the GI sheet metal compound from 03 sides as one side is covered by natural hill.
11. Provided water sprinklers at internal roads, to the crushing & screening sections, conveyer belts at the inlet & outlet points & towards the periphery of the premises.
12. Provided GI sheet metal covering & green shed net cover to primary, secondary & tertiary sections along with screens & conveyer belts.
13. PP has planted trees towards the compound wall & remaining plantation is in progress.
14. PP has removed all debris / sludge which is previously stored in the premises & remaining 25 to 30% removal work is in progress & it will be completed within next 15 days as informed by the PP.
15. The Photographs showing the site scenario have been taken during the site verification at various spots.



(Navnath S. Awatade)
Sub-Regional Officer,
M.P.C. Board, Pune-II



TRUE COPY

 <p>Ph. No. 9422742901 E-mail: sropune2@mpcb.gov.in Website: www.mpcb.gov.in</p>	<p>Maharashtra Pollution Control Board Sub Regional Office, Pune-II</p>  <p>"Your Service is our duty"</p>	 <p>2nd Floor, Jog Center Bldg. Mumbai-Pune Highway, Wakdedwadi, Pune-411 003</p>
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Present Status

Date: 09/02/2026

- 1) Name & address : M/s. Kumbare Stone Crusher,
 Sr. No. 735, Urwade,
 Tal. Mulshi, Dist. Pune.

- 2) Point wise compliance of Closure Direction (dtd. 20/11/2025) as below:

Board Closure Direction dtd- 20/11/2025		
Sr. No.	Points	Compliances
1	You have installed and commissioned the sand plant and RMC plant into the premises without obtaining consent from the Board.	PP has applied for Consent to Establish and Operate, which is in process.
2	The Dust emissions were spreading and deposited into the premises and causing air pollution nuisance to the surrounding area.	Provided water sprinkling arrangement at the internal premises as well as to the conveyer belts, ramp jaw crushers, primary, screening section at the periphery of compound wall for that PP has paid the payment to Ankeet Hardware stores.
3	You have not obtained NOC / Permission from the Central Ground Water Authority for extraction of groundwater	Applied for Central Ground Water Authority NOC for extraction of groundwater.
4	You have not complied with Revised Guidelines for Ready Mix Concrete Plants (RMC) issued vide no. JD(APC)/RMC/TB-3/B-0218, dtd. 17/10/2025.	Work is in progress - Partly complied with Revised Guidelines for Ready Mix Concrete Plants (RMC) issued vide no. JD(APC)/RMC/TB-3/B-0218, dtd. 17/10/2025.
5	You have not upgraded / provided the air pollution control system as per the Board's circular no.	• Provided GI sheet covering to Vibrating Screen from all side. A copy of Invoice dtd. 03/10/2025 in the name of Pradnya Teen

<p>MPCB/JD(APC)/Stone Crusher/TB-3/B-0215 dtd. 10/01/2024 regarding Environmental Guidelines for the Stone Crusher Units issued by Central Pollution Control Board in the Monthly July, 2023.</p>	<p>Roofing Sheets along with proof of payment produced by the PP is verified & is true.</p> <ul style="list-style-type: none"> • Provided GI Sheet covering to convey belts for that PP has paid the amount of Rs. 66428/- vide invoice dtd. 14/04/2025 to Pradnya Teen Roofing Sheets is verified & is true. • Provided water sprinklers at internal roads, to the crushing & screening sections, conveyer belts at the inlet & outlet points & towards the periphery of the premises. • Provided GI sheet metal covering & green shed net cover to primary, secondary & tertiary sections along with screens & conveyer belts. • PP has planted trees towards the compound wall & remaining plantation is in progress. • PP has removed all debris / sludge which is previously stored in the premises & remaining 25 to 30% removal work is in progress & it will be completed within next 15 days as informed by the PP.
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(Navnath S. Avatade)
Sub-Regional Officer,
M.P.C. Board, Pune-II



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220



Adv Sangramsingh R Bhonsle <srb.chambers@gmail.com>

Service on the Respondents: Additional Affidavit on behalf of the Respondent and Rejoinder on behalf of the Respondent No. 1 to the Affidavit in Reply of the Respondent No. 2 in O.A. No. 114 of 2025 (WZ)

1 message

Adv Sangramsingh R Bhonsle <srb.chambers@gmail.com>

Wed, Feb 25, 2026 at 5:14 PM

To: "sameer.khale@mgklegal.com" <sameer.khale@mgklegal.com>, rahul.garg@mgklegal.com, adv.manasi.joshi@outlook.com, comm@pmrda.gov.in, Dattatarya Devale <dattadevale252@gmail.com>, "grampanchayaturawade3@gmail.com" <grampanchayaturawade3@gmail.com>, sec.forest@maharashtra.gov.in
Cc: Adv Sangramsingh Bhonsle <sangramsinghbhonsle@gmail.com>

Ma'am/ Sir,

I am the Advocate for the Respondent No. 1 in O.A. No. 114 of 2025 (WZ). I am filing an Additional Affidavit on behalf of the Respondent No. 1 in the abovementioned matter. I am also filing a Rejoinder to the Affidavit in Reply dated 08.12.2025 filed by the Respondent No. 2 in the present matter.

Please find enclosed herewith, a copy of both, the Additional Affidavit on behalf of the Respondent No. 1 as well as Rejoinder to the Affidavit in Reply dated 08.12.2025 of the Respondent No. 2.

Kindly consider the present email as service of the above-mentioned documents on your Ld. Office.

Regards,

Sangramsingh R. Bhonsle

Advocate On Record

Supreme Court of India

H-5, Second Floor, Lajpat Nagar III,

New Delhi - 110024.

Mob- 9545809120

2 attachments**Kumbare Rejoinder_24.02.2026.pdf**

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**Kumbare Addl Aff_24.02.2026.pdf**

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