

**BEFORE THE NATIONAL GREEN TRIBUNAL,  
(WESTERN ZONE) BENCH AT PUNE  
APPEAL NO. 607 OF 2025 (WZ)**

**BETWEEN**

ALCHEMIST ASSET RECONSTRUCTION CO. LTD.

...APPELLANT

VERSUS

GOA COASTAL ZONE MANAGEMENT AUTHORITY & ANR.

...RESPONDENTS

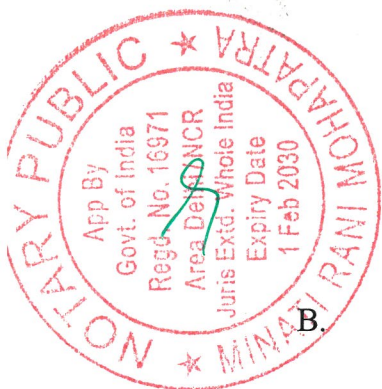
**AFFIDAVIT-IN-REJOINER ON BEHALF OF THE APPELLANT TO  
THE AFFIDAVIT-IN-REPLY FILED BY THE RESPONDENT NO. 1**

*Most Respectfully Sheweth:*

I, Akshat Sharma, S/o Shri S. K. Sharma, aged about 38 years, working for gain at A-270, 1<sup>st</sup> and 2<sup>nd</sup> Floor, Defence Colony, New Delhi – 110 024, being the authorised representative of the Appellant hereinabove, do hereby solemnly affirm and state as under: -

A. I say that I am the Authorised Representative of the Appellant in the captioned Appeal No. 607 of 2025 (WZ), and as such, I am well conversant with the facts and circumstances of the present case and, in view thereof, am competent to sign, verify and file the present Affidavit-in-Rejoinder.

B. I say that the Appellant herein is filing the present Affidavit-in-Rejoinder to the Affidavit-in-Reply dated 10.03.2026 filed by the Respondent No. 1 to captioned appeal to clarify its position, and leave

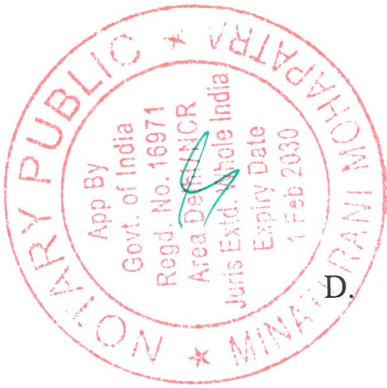


of this Hon'ble Tribunal is sought for amending and making additional submissions later, if required.

C. I say that I have gone through the Affidavit-in-Reply filed on behalf of the Respondent No. 1 and have noted the contents thereof. At the outset, I specifically deny, dispute and traverse each and every averment made in the said Affidavit-in-Reply, except those that are expressly admitted herein. The averments, statements and contentions raised by the Respondent No. 1 are incorrect, misleading and contrary to the true and factual position of the instant appeal. The Respondent No. 1 has attempted to distort facts and raise baseless and untenable pleas, all of which are emphatically denied. The contents of the Affidavit-in-Reply are denied *in toto* as they are devoid of merit, vague, ambiguous and are an afterthought, raised only to mislead this Hon'ble Tribunal and to evade the lawful averments, contentions and submissions made by the Appellant in the captioned Appeal.

D. I say that no averment, statement, or contention raised in the Affidavit-in-Reply shall be treated as being admitted by the Appellant merely because the same has not been dealt with specifically herein or has not been denied *in seriatim*.

E. I say that the contents of the captioned appeal (alongwith documents) are reiterated and reaffirmed as correct and the contents whereof may kindly be read as an integral part of the present rejoinder as the same are



not being repeated for the sake of brevity. However, the Appellant craves leave of this Hon'ble Tribunal to rely upon and refer to the same, as and when required.

- F. Without prejudice, I say that the *locus standi* of the Appellant has been duly explained and detailed in Para 6 & 7 of the captioned appeal read with Annexure A-6 (Colly) attached thereto and the contents whereof are reiterated in *toto*.

### PRELIMINARY SUBMISSIONS

Before proceedings with the para-wise Rejoinder to the Reply filed by the Respondent No. 1, the Appellant humbly submits the following preliminary submissions for the kind consideration of this Hon'ble Tribunal. These submissions are made to place certain crucial facts, legal aspects, and the nature of the proceedings before this Hon'ble Tribunal, which will aid in the proper understanding of the issues at hand and in the adjudication of the present Appeal.

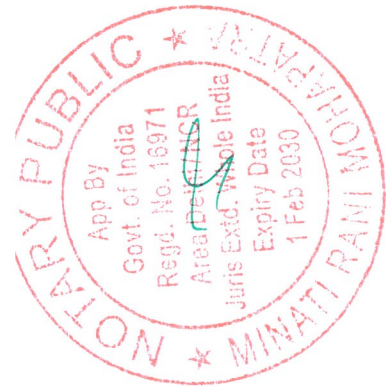
- G. At the outset, the Appellant respectfully submits that Respondent No. 1 has failed to furnish a para-wise reply to the averments made in the captioned Appeal, which, in law, amounts to a deemed admission thereof. The so-called response of Respondent No. 1 is a bald and evasive denial, devoid of any cogent reasoning or substantive explanation. Such conduct clearly reflects a casual, perfunctory and non-diligent approach on the part of Respondent No. 1 in addressing the core



issues raised before this Hon'ble Tribunal. The Reply, in fact, is a stereotyped and mechanical reproduction, betraying complete non-application of mind and a failure to discharge its statutory obligations in a fair and reasoned manner.

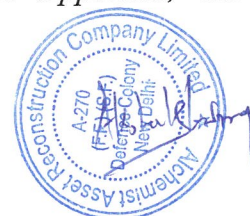
H. I say that the Appellant had preferred the captioned Appeal against the Impugned Direction dated 29.09.2025 issued by the Respondent No. 1 to the Respondent No. 2 under Section under Section 5 of the Environment (Protection) Act, 1986 read with Rule 4 of the Environment (Protection) Rules, 1986, whereby the Respondent No. 1 has partially discharged the Show Cause Notice dated 24.02.2025 on the basis of the Permission dated 17.01.2024, while *simplicitor* directing the Respondent No. 2 to demolish the other structures illegally erected within stipulated time. It is submitted that, the Impugned Direction patently fails to adhere to the Beach Carrying Capacity Report ('BCCR'), as applicable to Agonda beach, and as accepted by Respondent No. 1 *in toto*, thereby facilitating the Respondent No. 2 to run commercial operations on the eco-sensitive and turtle nesting Agonda beach despite the scientifically assessed beach carrying capacity having been determined as "zero".

I. Succinctly submitted, the Impugned Direction deserves to be set aside by this Hon'ble Court for *inter-alia* the following reasons/ infirmities:



- 1) *For ignoring that all constructions, whether covered under Permission dated 17.01.2024 or not, were violative of the BCCR, as applicable to Agonda beach since the BCCR had assessed the carrying capacity of Agonda beach as Zero (Kindly refer to Para 29 to 32, read with Para 49 of the captioned Appeal);*
- 2) *For ignoring Condition/ Clause No. 18 of the Permission dated 20.05.2024 which provides for revocation of a permission in case there are several title holders in a property and there is dispute or objection, the permission granted by the GCZMA is liable to be revoked. Whereas it is a matter of fact that Sy. Nos. 102/1 is neither divisioned nor partitioned as per law, and that, DPDCL owns the majority land in the said survey nos. Hence, a claim by any party over a specific portion of land in the Sy. No. 102/1, by way of any lease, is seriously a disputed question of fact.*

*Factually, it is also pertinent to note that the land in question on which Permission has been granted by the GCZMA has been custodia legis since 1991 under the orders of the Hon'ble Bombay High Court, and continues to remain so till date under the orders of the Hon'ble Supreme Court. Thus, no permission ought to have been passed in the first place by the GCZMA, or, as and when such dispute was brought to their notice by the Appellant, the*



*Permission dated 17.01.2024 ought to have been revoked forthwith (Kindly refer to Paras 38 to 46 and 68 of the captioned Appeal);*

- 3) *The approved plan attached to the Permission dated 17.01.2024, brought out for the first time to the Appellant's notice through the Affidavit-in-Reply filed by the Respondent No. 1 reveals its casual attitude further, in that:*
- (i) *It has failed to notice that the area of plot (Survey No. 102/1) is 5085 sq. mtrs and no longer 6150 sq. mtrs.;*
- (ii) *It has blindly accepted that the area allotted to the Respondent No. 2 is 1560 sq. mtrs. despite knowledge that DPDCCL holds (through sale deeds) an area of 4795 sq. mtrs. in Survey No. 102/1, thus leaving only 290 sq. mtrs. which could have been owned by any other person. (Kindly refer to Annexures A-21 and A-29 attached to the captioned appeal);*
- 4) *For ignoring impermissible permanent/ semi-permanent constructions and built-up area of about 2074 sq. mtrs., being in excess of the permitted constructed area of 174.42 sq. mtrs. (Kindly refer to Para 4 & 5(f)(vi) of the captioned Appeal);*
- 5) *Blatantly ignoring the construction(s) on government land (Sy. No. 102/2) and taking no action with regard thereto. It is submitted that the Impugned Direction fails to undertake even a basic ascertainment of the actual area under construction on the ground*



so as to verify whether any portion of temporary shack and huts has been constructed in or upon Survey No. 101/2. In the event such encroachment is found, the Respondent No. 1 ought to have consequently passed appropriate orders directing demolition of the offending structures. (Kindly refer to Paras 58 to 60 of the captioned Appeal);

- 6) Failure of Respondent No. 1 to punish the Respondent No. 2 by imposing a fine and/or blacklisting it, for blatantly mis-using its permission to *inter alia* encroach upon Government land and degrading the eco-sensitive and fragile beach of Agonda, signifying collusive inaction on the part of Respondent No.1 to favour Respondent No. 2;

- J. I say that the Impugned Direction issued by the Respondent No. 1, discharges the Show Cause Notice dated 24.02.2025 on the basis of the permission/ approval dated 17.01.2024 without examining and adjudicating upon the submission of the Appellant *inter-alia* that: (1) the said permission/ approval could not have been issued in the first place in view of the saturation of the Agonda beach and the beach having **zero** carrying capacity as far back as in the year 2016, as brought out unambiguously in the Beach Carrying Capacity Report; (2) the illegal constructions by the Respondent No. 2 extend to government land i.e. Sy. No. 102/2; (3) there exists a title dispute over Sy. Nos. 102/1; etc.



K. I say that, as per the Permission/ Approval dated 07.01.2024, the Respondent No. 2 was granted approval for erection of *Temporary Shack and Huts for a total built up area of 174.42 sq. mtrs.* in property bearing *Survey No. 102/1*, Agonda, Canacona, Goa.

However, upon an inspection by the Respondent No. 1, pursuant to the Complaint of the Appellant dated 07.02.2024, it was found that the Respondent No. 2 had built a number of semi-permanent as well as permanent structures not only on *Survey Nos. 102/1*, but also made constructions on *Survey No. 102/2*, which is a government land. The following list of structures erected by the Respondent No. 2 were detailed in the Show Cause Notice dated 24.02.2025:

- 10 nos. cottages erected on **metal fabricated** base.
- Shed (for beach beds and sitout) supported with iron poles.
- 1 no. shack with open sitout supported by wooden supports and cement poles supports. Roof covered by wooden mesh and shack having a counter with khadappa tile layed on floor.
- 1 no. structure (Reception counter) erected on metal fabricated base.
- 1 no. structure (kitchen + laundry) erected on **cement floor** layed with khadappa tile floor and roof covered with G.I. sheets having an attached toilet.
- 2 nos. structures wrapped and covered with tarpaulin sheets.
- 1 no. structure (staff room) shed.
- 2 nos. OHT erected on **metal fabricated** frame.
- 1 no. DG set with **metal shed** cover.
- 1 no. structure (hut) for staff.
- walkway into the property erected with metal fabricated shed.
- **precast cement wall with cement pole** supports used as retaining wall;



- *Property fenced.*

Intriguingly, the Respondent No.1 did not bring out, on the basis of its site inspection, the extent of built-up area erected by the Respondent No.2. I say that, that was done by the Respondent No. 1 not only to favour Respondent No. 2 but to also conceal its own inaction and passivity as regards safeguarding the highly fragile Agonda beach. Further, the Respondent No. 1, while discharging the Respondent No. 2 partially of the SCN dated 24.02.2025, did not bother to check whether any of the so-called permitted structures erected on Government Land i.e. Sy. No. 102/2.

- L. I say that the Respondent No. 1, has neither discharged its statutory obligations as an authority mandated to enforce the CRZ, 2011 nor effectively passed orders for protection of the beaches of Goa especially the designated Turtle Nesting and site fragile beach of Agonda. The Respondent No. 1 has not only failed to implement the BCCR through its orders but also consciously and deliberately issued permissions and failed to take any recourse against the already issued permissions which are clearly in teeth of the recommendations of the said Report despite being aware that the beach carrying capacity of Agonda Beach has been determined to be *zero*. Further, it is humbly submitted that the Respondent No. 1 while discharging the SCN dated 24.02.2025 on the basis of the existing permission dated 17.01.2024, not only failed to



check the adherence of the permission *qua* the Beach Carrying Capacity Report but amounts to wrongful ratification/approval the said permission dated 17.01.2024.

**PARA WISE REPLY**

- 1 & 2 I say that the contents of Para 1 & 2 of the Reply merit no response.
3. I say that the contents of Para 3 of the Reply are emphatically denied as being erroneous, misconceived, misleading and devoid of any merit. It is respectfully submitted that the *locus standi* of the Appellant is unequivocally established, inasmuch as the Appellant was the original Complainant before Respondent No. 1, and it was pursuant to the Appellant's Complaint dated 07.02.2024 that the Show Cause Notice dated 24.02.2025 came to be issued by Respondent No. 1 to Respondent No. 2. Moreover, the Appellant is also the sole secured mortgagee of the parcel of land owned by DPDCL in Sy. Nos. 102/1, hence, any order passed pursuant to the said Show Cause Notice has a direct and substantial bearing on the rights and interests of the Appellant. The Appellant, therefore, squarely falls within the ambit of an "aggrieved person" under Section 16 of the NGT Act.

Without prejudice, the Impugned Direction, in effect, partially discharges the Show Cause Notice on the basis of Permission dated 17.01.2024, which is *ex facie void ab initio* being contrary to the CRZ Notification, 2011 and the BCCR recommendations as applicable



to Agonda Beach. The Impugned Direction fails to consider the Appellant's contention that the said permission and all consequential approvals are in violation of the BCCR, particularly Para 6.3(2) [*Specific Recommendations for Shacks and Other Temporary Structures in Private Land*] read with Table 24 thereof, apart from the other legal and factual contentions also raised.

The Impugned Direction is further vitiated by non-application of mind, as it does not specify the structures to be demolished. While the Show Cause Notice identified illegal constructions, collectively on Survey Nos. 102/1 and 102/2 (Government land), the Impugned Direction issues a vague and omnibus demolition order leaving it to the imagination of the Respondent No. 2 as to which structures are to be demolished and which ones are to be retained. Moreover, the Impugned Direction fails to undertake even a basic ascertainment of the actual area under construction on the ground so as to verify whether any portion of the Temporary Shack and Huts (for a total built up area of 174.42 sq. mtrs.) has been constructed in or upon Survey No. 102/2. In the event such encroachment is found, the Respondent No. 1 ought to have consequently passed appropriate orders directing demolition of the offending structures.

Furthermore, while allowing Temporary Shack and Huts to remain in view of the permission dated 17.01.2024, the Impugned



Direction does not verify and confirm whether the permitted built-up area of 174.42 sq. mtrs. had been complied with or exceeded. To that extent, the Impugned Direction is both defective and incomplete.

The Impugned Direction, thus, fails to address the Appellant's objections, including the prohibition on new constructions on Agonda Beach under the BCCR, and instead improperly relies upon and effectively ratifies the Permission dated 17.01.2024 which could not have been issued in the first place. Hence, the present statutory appeal.

4. I say that the contents of Para 4 of the Reply are denied as being wrong, misleading and incorrect, because the Impugned Direction has been passed without due and proper consideration/ examination of the written and oral submissions made by the Appellant. It is submitted that the Impugned Direction issued by Respondent No. 1 is based on the presumption that the Permission dated 17.01.2024 issued by it is valid and consistent with CRZ, 2011 read with the BCCR, as applicable to Agonda beach (which report scientifically assessed beach carrying capacity having been determined as "zero"). The Appellant has questioned and challenged the very foundation of the said Permission in its pleadings/ submissions before the Respondent No. 1 since no such permissions could have been issued after 03.01.2017, the date on which the BCCR was accepted in *toto*. The Respondent No. 1 has, for reasons best known to it, not adjudicated upon this crucial issue. It is, therefore,



submitted that once the very foundation of the permission granted by GCZMA is under challenge as being violative of the BCCR (as applicable to Agonda Beach), any action founded thereon, including the Impugned Direction, stands vitiated and is *ex facie* unsustainable in law.

The Respondent No.1 has also consciously not taken due cognizance of the Appellant's submissions as regards the existence of a title dispute over Sy. Nos. 102/1as well as the illegalities committed by the Respondent No. 2, by misusing the Permission dated 17.01.2024 *inter alia* by way of (a) erecting permanent/ semi-permanent structures; (b) exceeding the permissible built-up area; and (c) encroaching upon Government land comprising Survey No. 102/2.

5 & 6 I say that the contents of Para Nos. 5 and 6 of the Reply are denied being wrong, erroneous, incorrect and misleading. It is significant to mention that, the Respondent No. 1 failed to consider that by issuing the Permission dated 17.01.2024, which it could not have issued after 03.01.2017 *i.e. the date on which the Respondent No. 1 resolved to accept the BCCR in toto, thereby accepting that the beach carrying capacity threshold of Agonda beach had been exceeded and, therefore, rendering provisions of sub-Clauses (iii) and (iiia) of Clause 8 (i) V (3) inapplicable to Agonda beach, the Respondent No. 1 Authority has failed to preserve the ecology of pristine beach of Agonda in utter*



disregard of provisions of Coastal Regulation Zone Notification, 2011 (CRZ, 2011) read with the BCCR, as applicable to the Agonda beach.

Most respectfully I say that, the permissions issued by Respondent No. 1 are justiciable, and this Hon'ble Tribunal, acting as the first appellate authority, is duty-bound to adjudicate upon the present challenge on both factual as well as legal grounds.

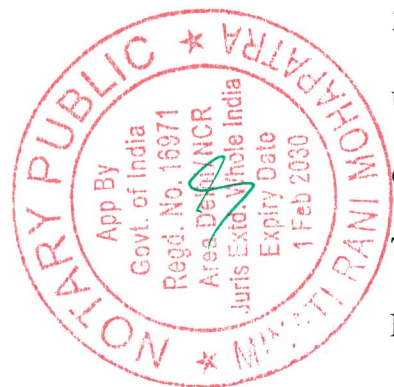
It is further submitted that, as per the findings of the NCSCM, the Agonda beach was fully saturated, even in the year 2016, and no new shacks/ huts/ resorts/ hotels should have been allowed on that beach after 03.01.2017 i.e. the date of acceptance of BCCR by the Respondent No. 1. Instead, owing to total disregard of the findings of the BCCR on the part of Respondent No. 1, various shacks, huts, even resorts came to be opened on the Agonda beach with or without the permission of the GCZMA and have been flourishing commercially with impunity.

It is submitted that, the acceptance of BCCR by the Respondent No. 1 constrains it from sanctioning / allowing any seasonal structures in terms of Paragraph 8(i) V 3 (iii) of CRZ, 2011 on the Agonda beach. In consequence, the Respondent No. 1 should have regulated all commercial activities on the Agonda beach, after 03.01.2017 (the date of acceptance of BCCR) in terms of Paragraph 8(i)III (A) (ii) and (iii) of CRZ, 2011 which deals with activities / constructions permissible



under CRZ-III and, in the light thereof, ought to have revoked / rescinded the Permission issued in favour of the Respondent No. 2.

7. I say that the contents of Para No. 7 of the Reply are denied being wrong, erroneous, incorrect and misleading. It is submitted that by accepting the BCCR as applicable to Agonda beach, the Respondent No. 2 recognised that the beach carrying capacity of Agonda beach had been exceeded and, in order to protect and preserve that beach, it self-restrained its competence to sanction temporary shacks and huts on that beach under Paragraph 8(i)V3(iii) of CRZ, 2011. The Respondent No. 1 reiterated the need to not allow any further shacks and huts on the Agonda beach in its 193<sup>rd</sup> Meeting held on 21.02.2019 (Case No. 4.13) wherein it was decided *inter-alia* that no new applications for huts / shacks / tents / cottages in private properties / hotels along the beach area (0-200 mtr from HTL) is to be accepted and processed by GCZMA till the finalization of CZMP by the State Government (*Para 22 of the Appeal read with Annexure A-11 attached thereto refers in this regard*). In fact, by issuing the Permission dated 17.01.2024 in favour of Respondent No. 2, the Respondent No. 1 has itself violated the mandate accepted by it under the fully accepted BCCR, in utter disregard of the letter and spirit of the Order dated 17.12.2014 in OA/03/2014 passed by this Hon'ble Tribunal, and the same is evident upon perusal of the relevant Google Earth images of Agonda beach of the year 2017 onwards.



Without prejudice to the above, it is submitted that while the purported Permission dated 17.01.2024 was granted to the Respondent No. 2 for construction of shack and huts in Sy. Nos. 102/1, however, as per the GCZMA's own Show Cause Notice dated 24.02.2025, the constructions by Respondent No. 2 were found extending in Sy. No. 102/2 as well, which is a government land where no permission is available for construction. Despite noting the same, the Respondent No. 1 failed to take any immediate steps regarding the same.

**Annexure – A (Colly)** are copies of year wise Photographs obtained by the Applicant from Google Earth Software from the year 2017 onwards evidencing growth of construction activities on Agonda beach.

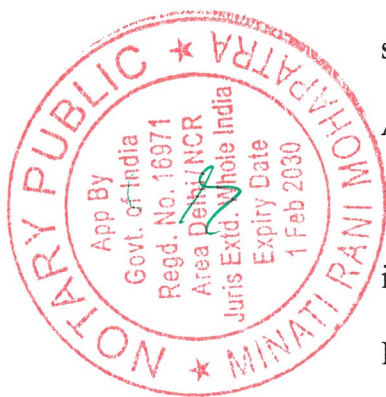
8. I say that the contents of Para 8 of the Reply, though a matter of record, suppress the fact that in Para 9 of the Appellant's Complaint dated 07.02.2024, it was specifically mentioned that all illegal constructions/commercial operations on the Agonda beach were within the No Development Zone and were not permissible in terms of the BCCR, as applicable to Agonda beach, and that not only no cognizance was taken of this submission, rather the Respondent No.1 continued to issue permissions/ approvals for shacks and huts in an unrestricted manner,



completely unmindful of the stress such permissions were creating *vis-à-vis* the carrying capacity of Agonda beach.

9. I say that the contents of Para 9 of the Reply, though a matter of record, hide the fact that the site inspection by the officials of the Respondent No. 1 on the Appellant's complaint dated 07.02.2024 was carried out, after eight (08) months of submission of the complaint, starting from 07.10.2024. Further, after completing the site inspection on 24.10.2024, it took the Respondent No. 1, four (04) months to issue the Show Cause Notice to the Respondent No. 2. These timelines exhibit a callous disregard on the part of Respondent No. 1 for the protection and preservation of the eco-sensitive and fragile Agonda beach tantamounting to collusion. It is rather submitted that even pursuant to the passing of the impugned direction, the Respondent No. 1 has failed to verify whether any such demolition has been carried out or not, thereby being hand-in-glove with the Respondent No. 2.

10 & 11 I say that the contents of Para Nos. 10 & 11 of the Reply, as submitted by the Respondent No. 1 are denied. It is submitted that the principal submission of the Appellant regarding the applicability of the BCCR to Agonda beach, and the consequential incapacity of the Respondent No. 1 authority in granting Permissions after 03.01.2017, though recorded incompletely and in passing, but was not adjudicated upon in the Impugned Direction. I say that the GCZMA has been patently



mechanical in its mindset and approach while dealing with the present matter at hand. The Impugned Direction is nothing but a verbose document which neither adjudicates nor addresses the various legal and factual issues raised by the Appellant. As such, the same is a completely un-reasoned order liable to be set aside by this Hon'ble Tribunal. It is reiterated that even pursuant to the passing of the impugned direction, the Respondent No. 1 has failed to verify whether any such demolition has been carried out or not, thereby being hand-in-glove with the Respondent No. 2.

It is also worthwhile to state that, the Respondent No. 1, while passing the Impugned Direction, has placed reliance upon various permissions allegedly obtained by Respondent No. 2 in proceedings arising out of the Show Cause Notice dated 24.02.2025, including approval from the Directorate of Tourism, the NOC from Village Panchayat of Agonda, the GSPCB and the FSSAI.

It is submitted that the documents on record reveal that the consent issued by GSPSCB was only on 07.03.2025 i.e., more than 14 months after the grant of permission clearly showing that the Respondent No. 2 was operating the unit without consent under the Air (Prevention and Control of Pollution) Act, 1981 and the Water (Prevention and Control of Pollution) Act, 1974. Similarly, NOC from Directorate of Fire and Emergency Services, being a mandatory



requirement, was only issued 27.02.2025, after 12 months from commencement of operations.

In the reply to Show Cause Notice, the Respondent No. 2 only annexed Provisional NOC dated 25.02.2025 from Village Panchayat which cannot be construed as a valid trade license. Hence, there is nothing on record to demonstrate that Respondent No. 2 possessed a valid trade license from the Village Panchayat or a valid Consent to Operate from GSPCB, thereby clearly establishing that the resort had been operating without requisite statutory approvals.

Despite the same, Respondent No. 1 has failed to consider these material deficiencies and has mechanically proceeded without examining the validity, subsistence, or scope of the alleged permissions. No finding has been returned on the crucial issue as to whether Respondent No. 2 had obtained all mandatory approvals prior to commencement of operations, as required under the permission dated 17.01.2024. Instead, Respondent No. 1 has merely accepted bald assertions of Respondent No. 2 without any independent verification, thereby demonstrating complete non-application of mind.

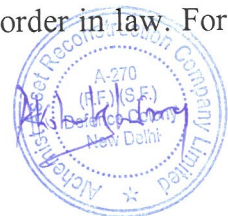
That Respondent No. 1 has also dealt with the issue of encroachments made by the Respondent No. 2 on the Government land comprising Survey No. 102/2 in a routine and lackadaisical manner. No punitive measure, like imposing a fine and/ or blacklisting the



Respondent No. 2 for running any commercial operations on Agonda beach, have been taken. This *inter alia* demonstrates complete abdication of statutory responsibility on the part of Respondent No.1.

12. I say that the contents of Para No. 12 are denied being erroneous and misconceived. It is respectfully submitted that the Impugned Direction has been passed without due consideration of the BCCR as applicable to Agonda Beach. At the outset it is submitted that while the purported Permission dated 17.01.2024 was granted to the Respondent No. 2 for construction of shack and huts in Sy. Nos. 102/1, however, as per the GCZMA's own Show Cause Notice dated 24.02.2025, the constructions by Respondent No. 2 were found extending in Sy. No. 102/2 as well, which is a government land where no permission is available for construction. Despite noting the same, the Respondent No. 1 failed to take any immediate steps regarding the same.

It is submitted that, the Impugned Direction merely records in passing the submissions advanced on behalf of the Appellant in this regard, without dealing with or adjudicating upon the same. The Respondent No. 1 has thus proceeded mechanically, without undertaking any detailed examination of the issues involved, and has thereby failed to discharge its statutory obligations. It is further submitted that the Appellant has rightly impugned the said Direction in the present Appeal, being a separate and independent order in law. For



the sake of record, it is submitted that, the Appellant had independently challenged the Permission dated 17.01.2024 by way of filing an Appeal No. 135/2025 before this Hon'ble Tribunal. However, the said appeal was dismissed by this Tribunal *vide* order dated 12.01.2026 on the ground of being barred by limitation. Pertinently, the said Order dated 12.01.2026 passed by this Hon'ble Tribunal in Appeal No. 135/2025 has been challenged by the Appellant by filing Civil Appeal No. 6680/2026 in the Hon'ble Supreme Court, which is pending adjudication as on date. Without prejudice to the aforesaid, it is respectfully submitted that it is well settled that a dismissal by a court of law on the ground of limitation does not constitute an adjudication on the merits of the case.

13 & 14 I say that the contents of Para Nos. 13 and 14 are denied being incorrect and misleading. It is submitted that the present captioned appeal has been filed well within the limitation. It is further submitted that, the Respondent No. 1 has an incorrect understanding of law and is convoluting issues. Furthermore, the grounds on which the captioned appeal has been preferred have been detailed in the said appeal memo, contents whereof are not being repeated for the sake of brevity. For the sake of record, it is submitted that, the Appellant had independently challenged the Permission dated 17.01.2024 by way of filing an Appeal No. 135/2025 before this Hon'ble Tribunal. However, the said appeal was dismissed by this Tribunal *vide* order dated 12.01.2026 on the



MINATI RANI  
NOTARY PUBLIC  
GOVERNMENT  
SUPREME COURT  
COMPOUND  
REGISTER





ground of being barred by limitation. Pertinently, the said Order dated 12.01.2026 passed by this Hon'ble Tribunal in Appeal No. 135/2025 has been challenged by the Appellant by filing Civil Appeal No. 6680/2026 in the Hon'ble Supreme Court, which is pending adjudication as on date.

- 15. I say that the contents of the Para 15 of the Reply merit no response.
- M. I say that the present Affidavit-in-Rejoinder is *bona fide* and is being filed in the interest of justice.

In view of the submissions made in the captioned Appeal as also the Affidavit-in-Rejoinder, it is most humbly prayed that the captioned Appeal may kindly be allowed in terms of the prayers sought by the Appellant.

- O. I say that the contents of Paras A to F, G(p), H(p), I(p), J to L, Paras 1 to 3, 4(p), 5 to 11, 12(p), 13(p), 14(p), 15 and Paras M to N are true to my knowledge, and, the contents of Paras G(p), H(p), I(p), 4(p), 12(p), 13(p) & 14(p) are based on legal advice, which I believe to be true. The Annexure(s) are true copies of the originals.



IDENTIFIED

05 JUN 2026

Advocate for the Appellant

Place: New Delhi  
Date: 05.06.2026

ATTORNEY

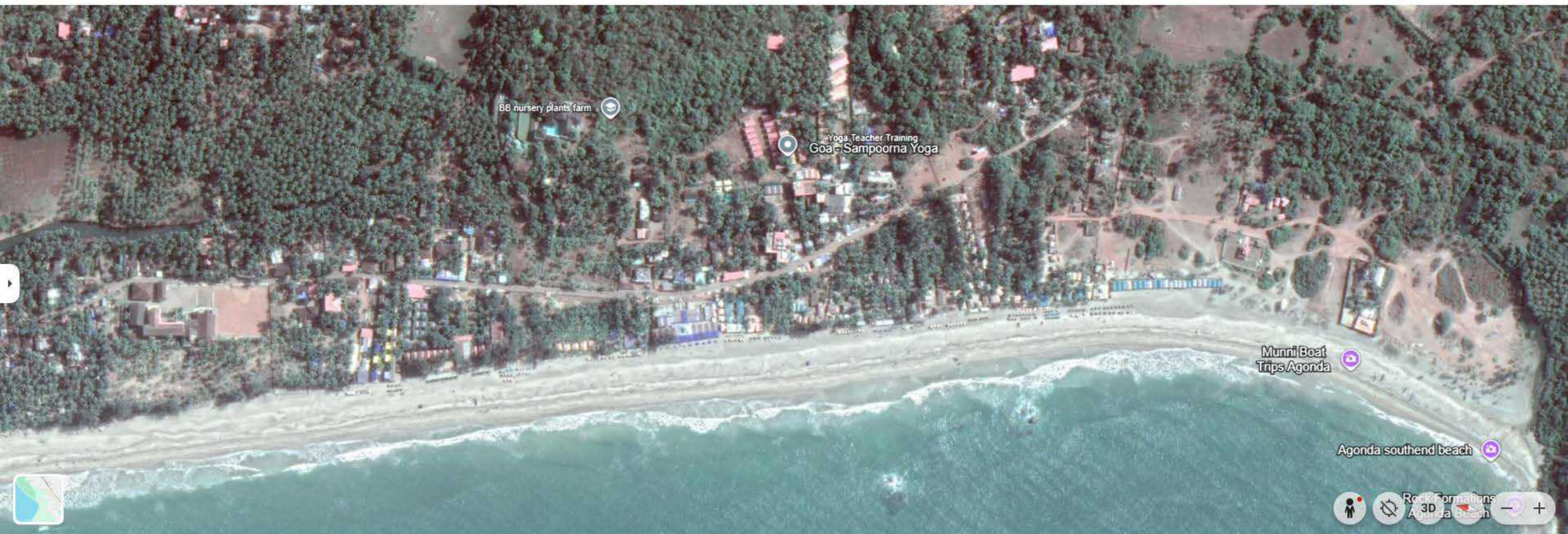
MINATI RANI MOHAPATRA  
NOTARY DELHI-1  
GOVERNMENT OF INDIA  
SUPREME COURT OF INDIA  
COMPOUND NEW DELHI  
REGISTER Pg./Sl. No.

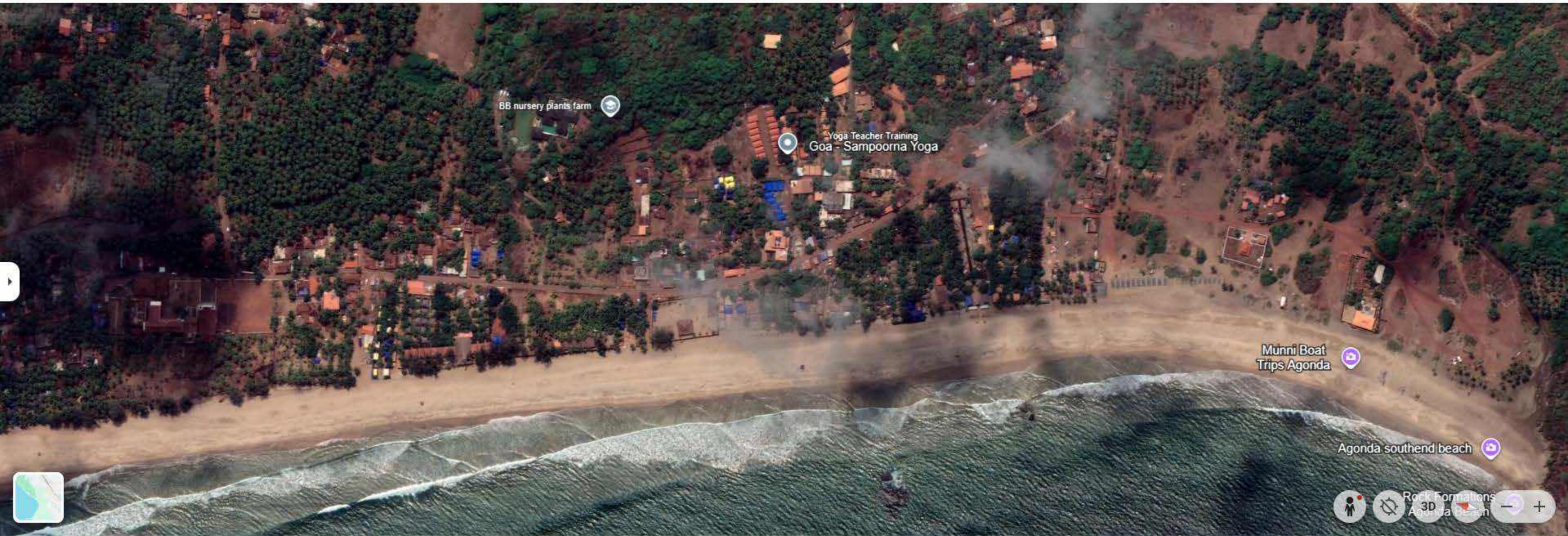
05 JUN 2026

MINATI RANI MOHAPATRA  
ADVOCATE (NOTARY)  
Mob. No.: 8130128451

# 841 ANNEXURE A (COLLY)

Historical Imagery < Jan 11, 2017 > | 1985 2009 2013 2014 2015 2016 2017 2018 2019 2020

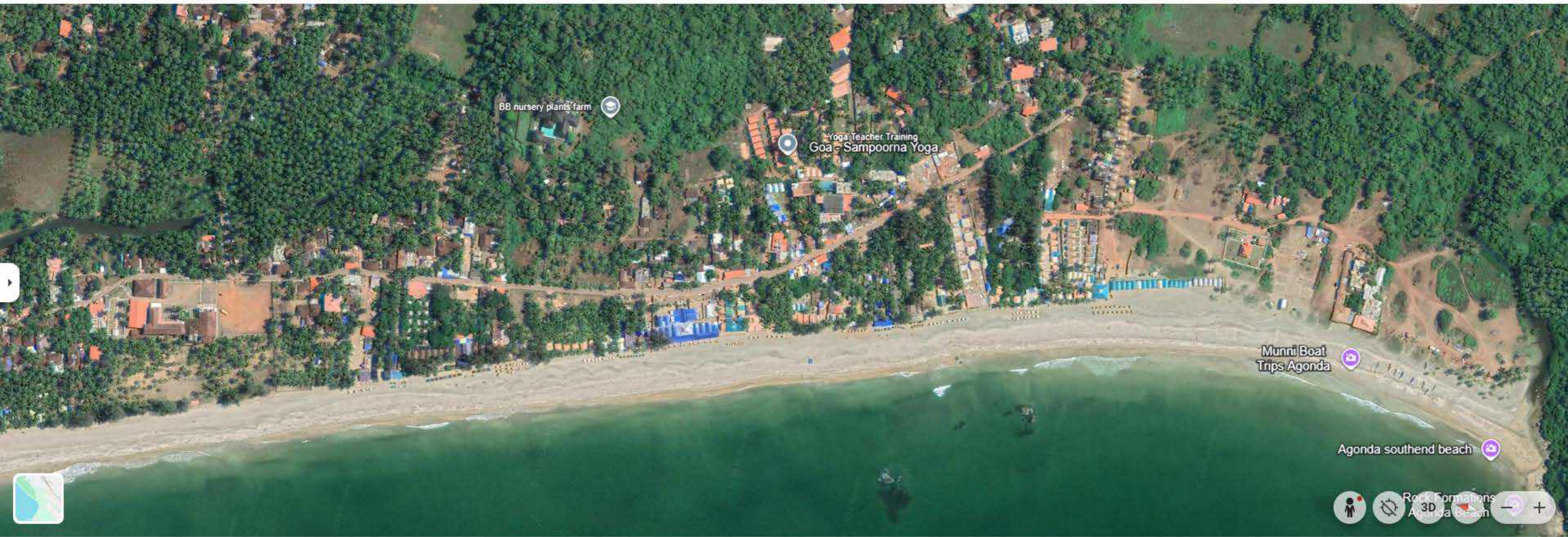




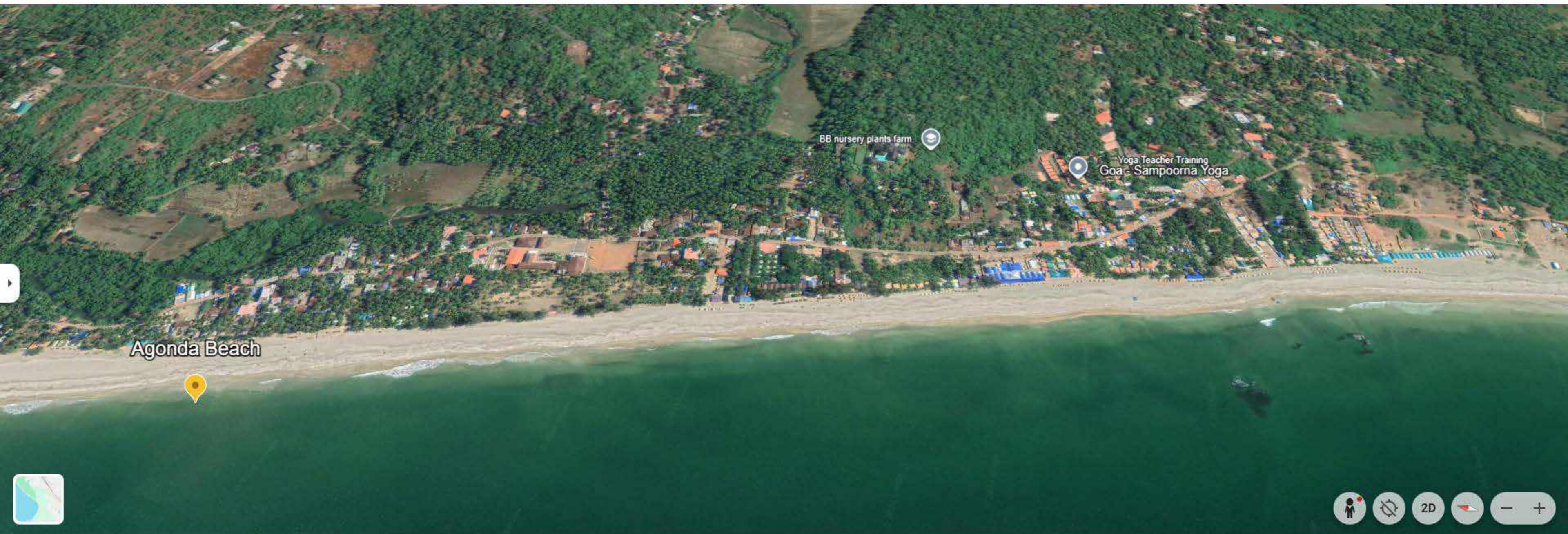
843

Agonda Beach, Agonda, Goa

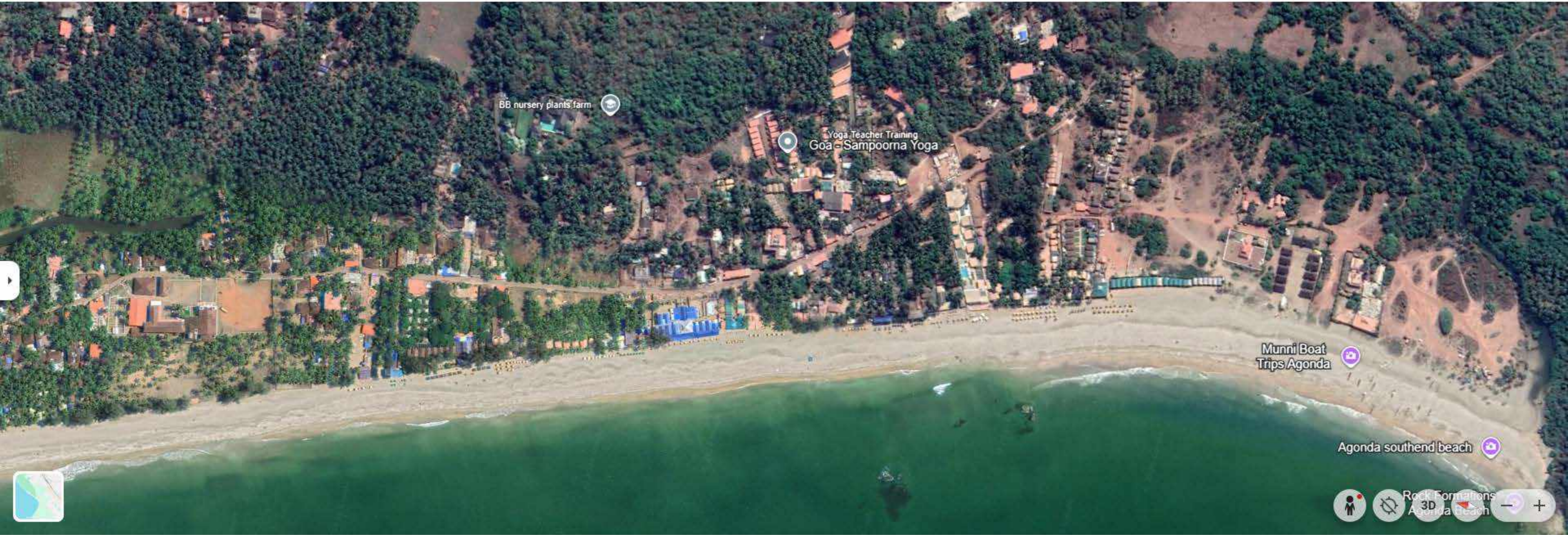
Historical Imagery < Nov 22, 2017 > | 1985 2009 2013 2014 2015 2016 2017 2018 2019 2020



Historical Imagery < Nov 22, 2017 > | 2015 2016 2017 2018 2019 2020 2021 2022 2024



Historical Imagery < Feb 14, 2018 > >|  
1985 2009 2013 2014 2015 2016 2017 2018 2019 2020



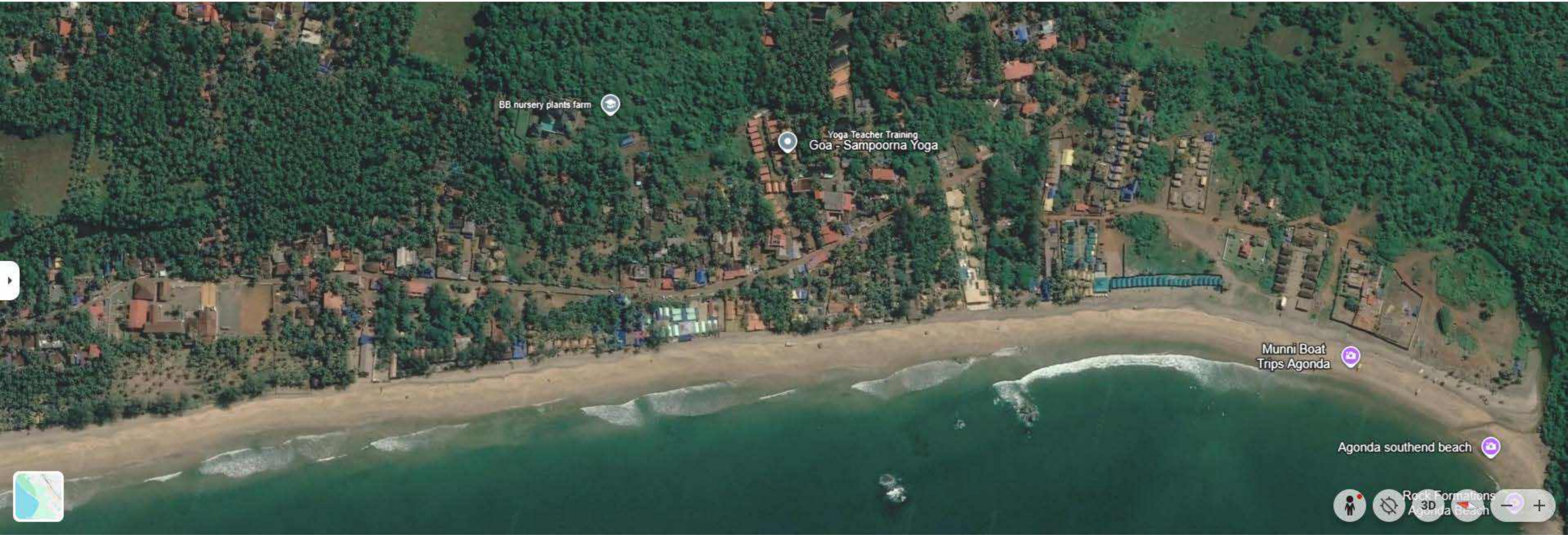
846

Agonda Beach, Agonda, Goa

Historical Imagery < Nov 15, 2018 > | 1985 2009 2013 2014 2015 2016 2017 2018 2019 2020



Historical Imagery < Nov 23, 2019 > | 2014 2015 2016 2017 2018 2019 2020 2021 2022 2024

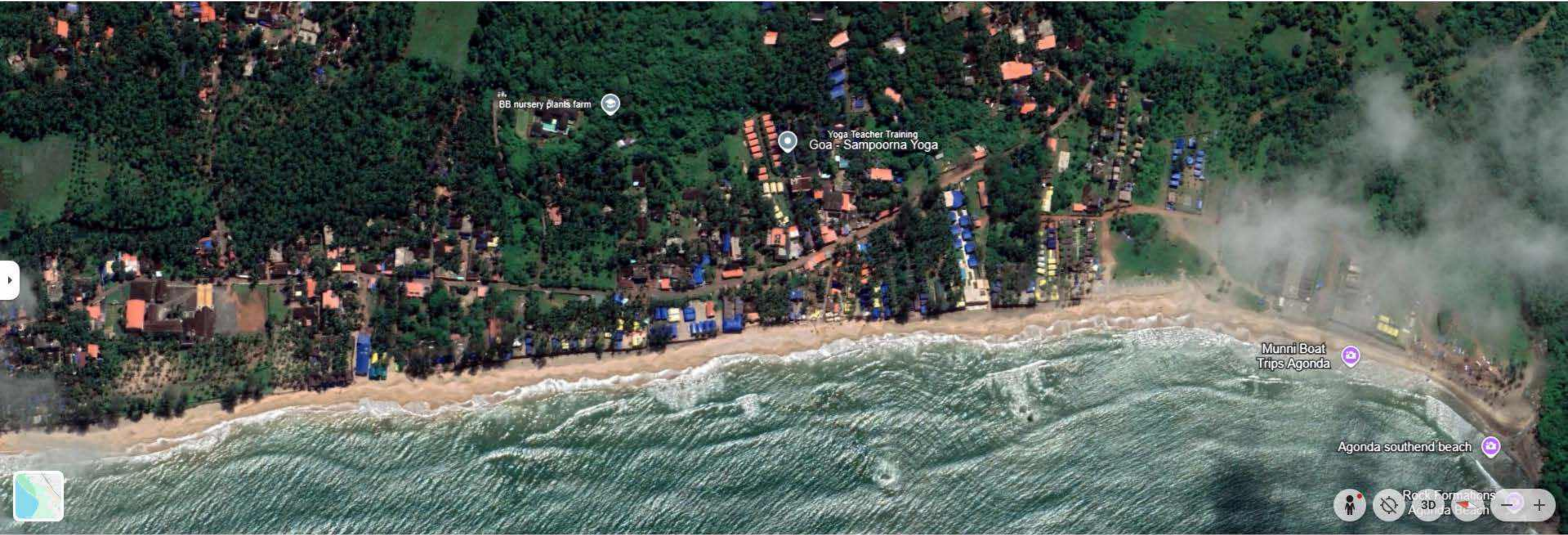


848

Agonda Beach, Agonda, Goa

Historical Imagery < Oct 10, 2019 > | Timeline from 2009 to 2022 with 2019 selected

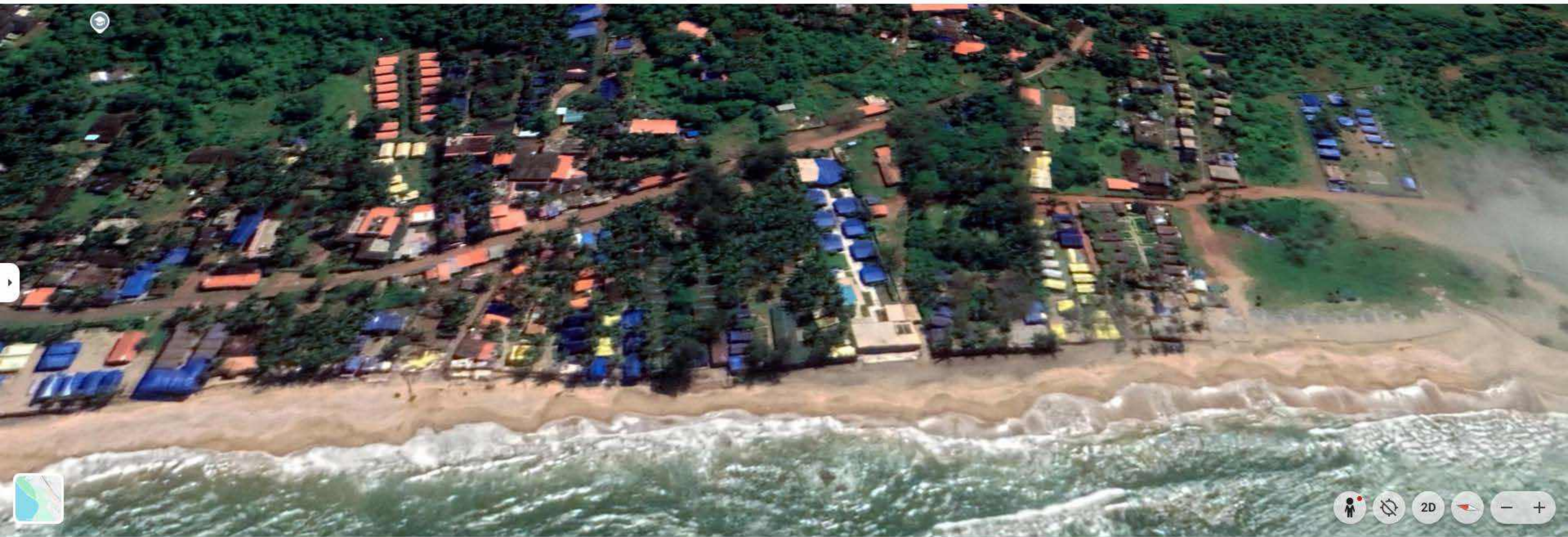




850

Agonda Beach, Agonda, Goa

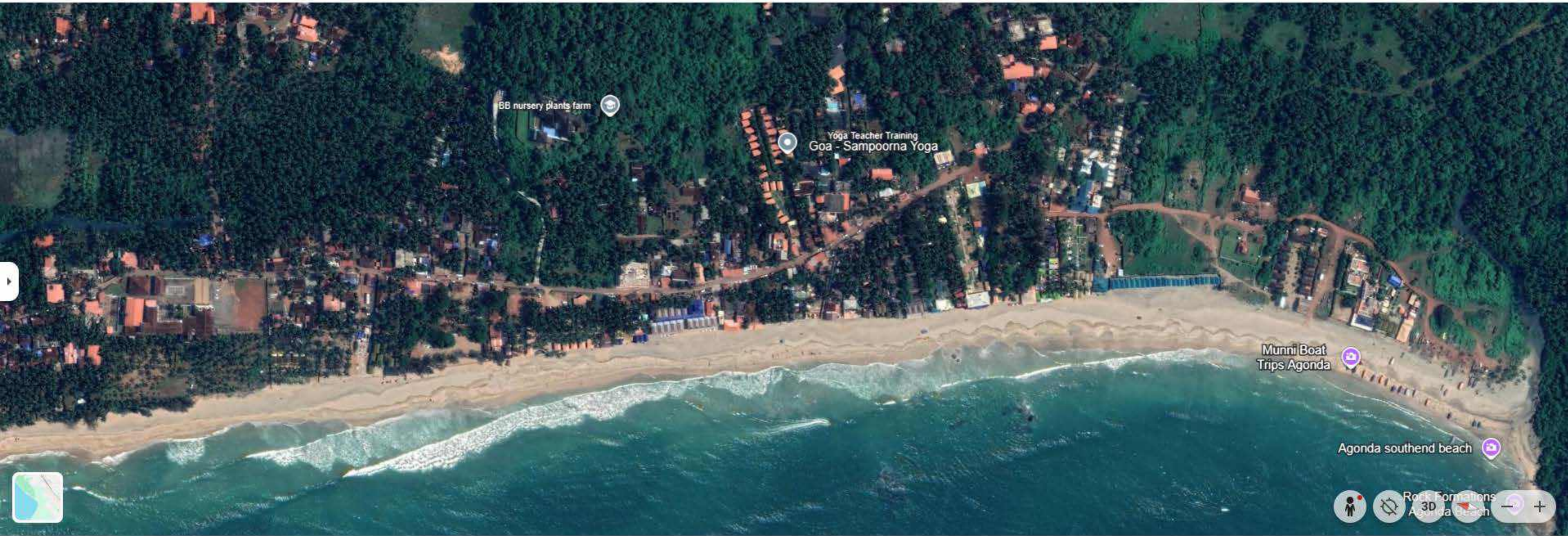
Historical Imagery < Sep 6, 2020 > | 2009 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 20

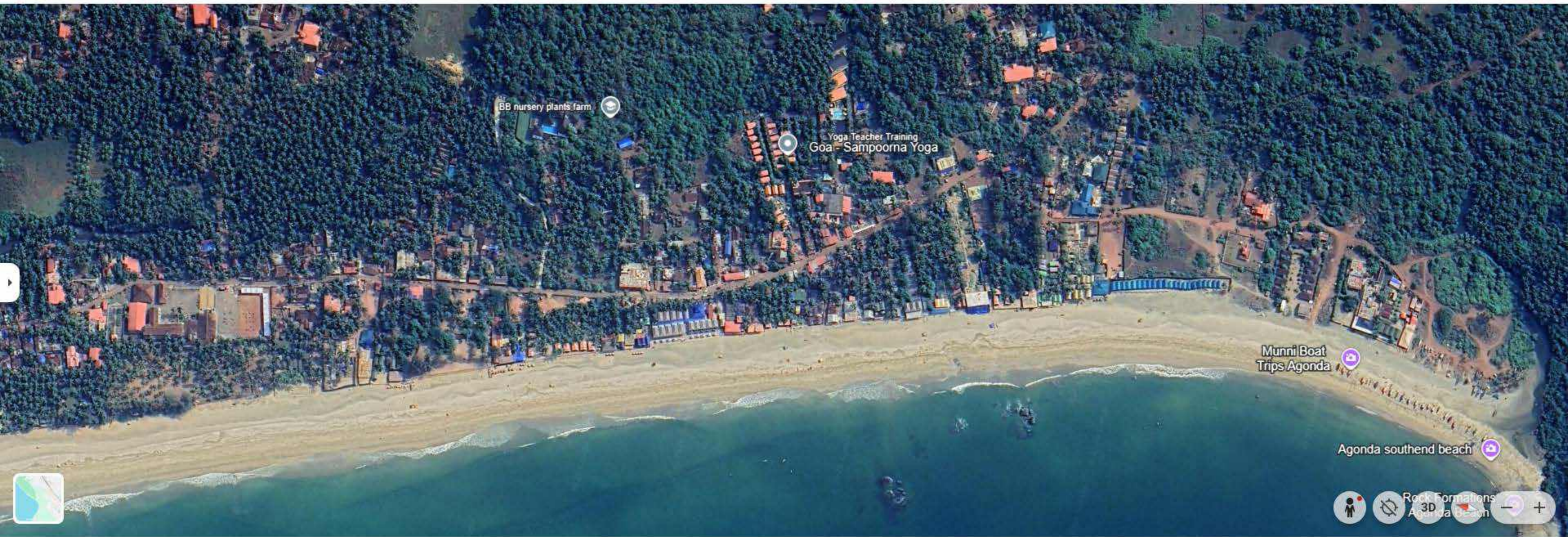


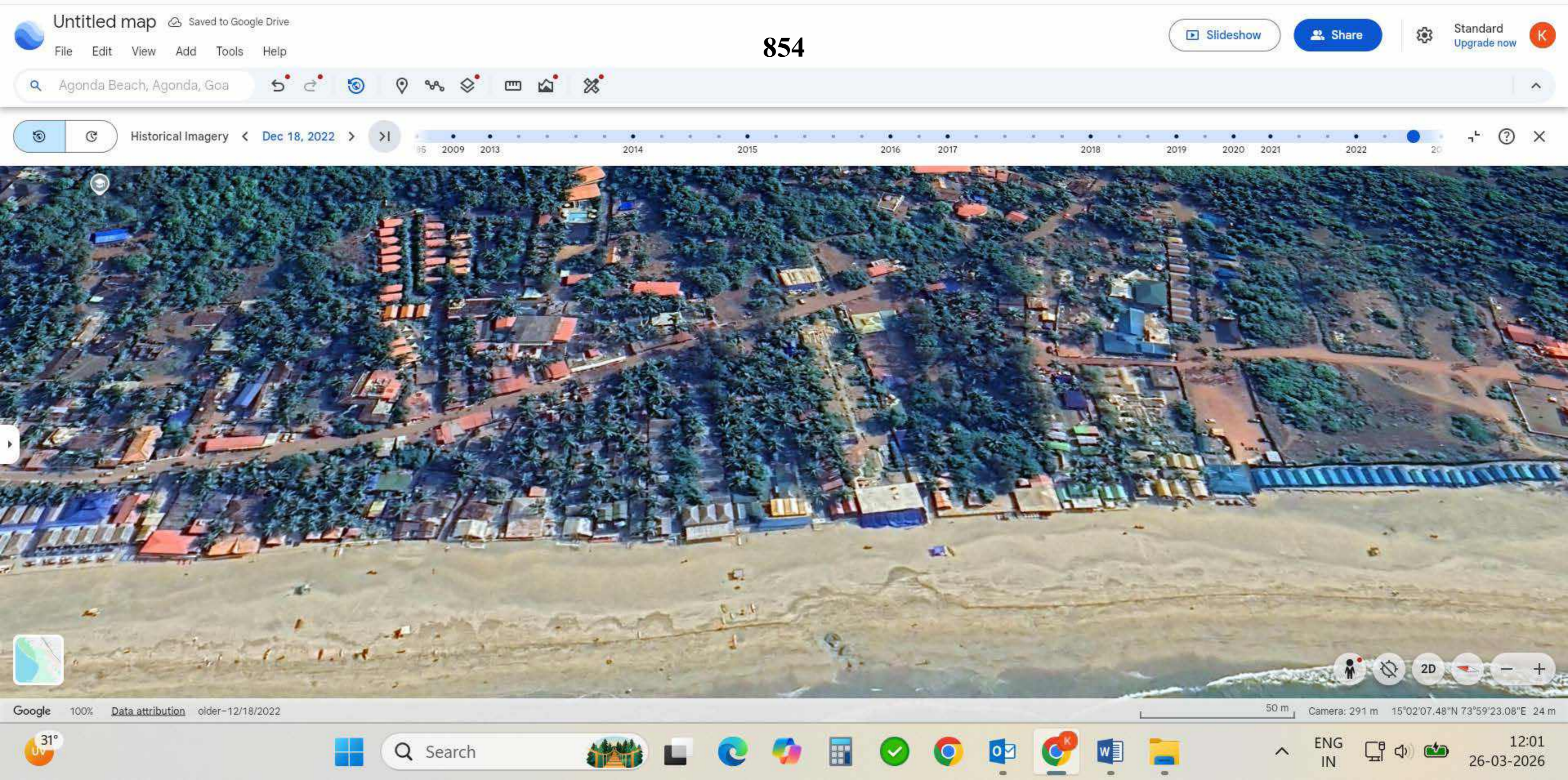
851

Historical Imagery < Jan 23, 2021 > | 2014 2015 2016 2017 2018 2019 2020 2021 2022 2024













**857****PROOF OF SERVICE**Re: GCZMA Reply in Alchemist Asset Reconstruction v. GCZMA & Anr Appeal 607 of 2025

---

From: Karan Batura (karanbatura@yahoo.in)

To: shubhpri@yahoo.co.in

Date: Friday, June 5, 2026 at 03:55 PM GMT+5:30

---

Mr. Priolkar,

Please accept advance service of the Rejoinder being filed on behalf of the Appellant in the captioned matter.

Kindly acknowledge the receipt of the same.

**Regards,****Karan Batura  
Advocate-on-Record  
Supreme Court of India**

---

On Wednesday, March 11, 2026 at 08:31:00 PM GMT+5:30, shubham priolkar <shubhpri@yahoo.co.in> wrote:

Greetings

Please find attached reply on behalf of GCZMA (Respondent No 1) in Alchemist Asset Reconstruction v. GCZMA & Anr Appeal 607 of 2025.

Regards  
Shubham Sinai Priolkar  
Additional Government Advocate  
Office of Advocate General, Goa



Rejoinder to Appeal 607 - AARC vs. GCZMA.pdf  
15.9 MB