

**IN THE NATIONAL GREEN TRIBUNAL, WESTERN
ZONE BENCH, PUNE**

**I.A NO. 699 OF 2025 (WZ)
IN
APPEAL NO. 563 OF 2025 (WZ)**

IN THE MATTER OF:

MOHAN PANDURANG HALARNKAR

...APPELLANTS

VERSUS

GOA COASTAL ZONE MANAGEMENT

AUTHORITY & 4 ORS.

... RESPONDENTS

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Filed by:



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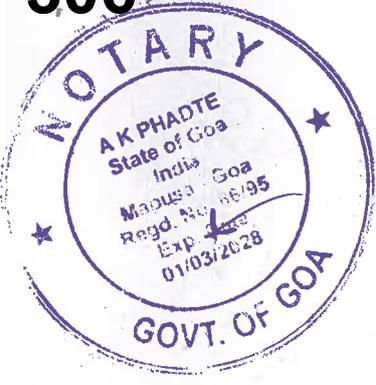
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AFFIDAVIT-IN-REJOINDER ON BEHALF OF

APPLICANT TO THE REPLY TO STAY APPLICATION

OF RESPONDENT NO. 5.

MAY IT PLEASE THIS HON'BLE TRIBUNAL:

I, Mr. Mohan Pandurang Halarnkar, 65 years of age, married, Indian National, residing at H. no. 1374, Piracho Khazan, Morjim, Pernem Goa, the Applicant above named, having perused the Affidavit in reply to the Stay Application of the Respondent No. 5 and having understood the content thereof do hereby respond on solemn affirmation state and submit as under:

- 1) I say that at the cost of Repetition and to avoid reiteration of facts, the facts pleaded in the Appeal memo and the

Mhalarnkar



Application for Stay may be treated as reproduced herein for the sake of convenience and brevity.

- 2) At the outset, all allegation and/or contentions contained in the Reply filed by the Respondent No. 5 which are inconsistent with the case set out by the Applicant are denied. Nothing contained in the Reply filed by the Respondent No. 5 shall be deemed to be admitted for want of specific traverse.
- 3) I say that the content of para 1 are denied.
- 4) I say that the contents of para 2 and 3 is a matter of record.
- 5) I say that the content of para 4 and 5 are denied.
- 6) I say that the content of para 6, 7 and 8 are denied. It is submitted that the Respondent no. 5 is well aware of the fact that the structure of the Applicant existed prior to survey promulgation as the said fact can be fortified from the bare perusal of survey Form I&XIV of survey no.119/3 of village Morjim, wherein the name of the father of the Applicant "Pandurang Sakharam Halamkar" is recorded in the other rights column. Furthermore, the said structure also stands identified in the survey plan as existing structure.

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7) I say that the content of para 9 are denied. I say that the alleged offending structure is used for fishing and allied activities apart from residential purpose by the Applicant and the same fishing activities being the only source of income has been alleged by the Respondent no. 5 to be a commercial activity and allege to be prohibited. It is stated that the Morjim village and in particular the survey no.119/3 of village Morjim is abutting the Arabian Sea and is peculiarly known for fishing activities apart from Tourism.

8) I say that the Applicant and his family members are fisherfolks and for generations together are in fishing activities and that being their sole source of income/revenues which is a permissible activity under the CRZ Notification, 2011 the same is not questionable. Additionally, it is vehemently disputed that the Appellant is renting their residential house to Tourist in as much as the Respondent No.5 have failed to place any records to that effect.

9) I say that the content of para 10 and 11 are denied. It is stated that the alleged illegal structures are existing prior to

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the CRZ regulation and as such, the Applicant has prima facie case, the balance of convenience also lies in favor of the Applicant and great prejudiced shall be caused to the Applicant if the alleged illegal structures are demolished and or pending the present appeal, the Impugned Order is not stayed as the same shall render the present appeal infructuous and therefore this Hon'ble Tribunal be pleased to Stay the Impugned Order and hence the Application be allowed.

M. Halankar

AFFIANT

Solemnly Affirmed at Mapusa Goa, on this 8th day of January, 2026.

Identified by me:

[Signature]
 Advocate for Appellant
(A. K. Phadte Desai)

Solemnly affirmed before me
Mohan Halankar
 who has been identified before
 my by Adv. A. Desai
 known to me personally
 Mapusa On 08/1/2026
 Regd. No. 125/2020

[Signature]
A. K. PHADTE
 NOTARY
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 El-Capitan Center, Mapusa, Bardez, Goa.

