

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

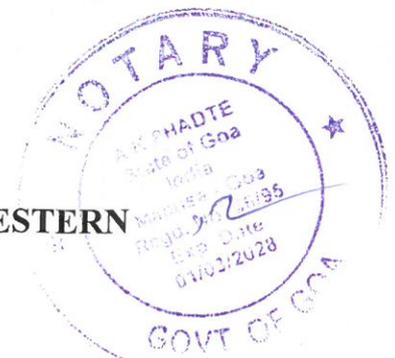
I.A No. 700 OF 2025 WZ
IN
APPEAL No. 563/2025 WZ

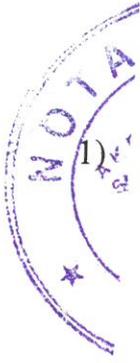
MOHAN PANDURANG HALARNKAR	... APPELLANTS
<i>Versus</i>	
GOA COASTAL ZONE MANAGEMENT AUTHORITY & 4 ORS.	... RESPONDENTS

**AFFIDAVIT-IN-REJOINDER ON BEHALF OF
APPLICANT TO THE REPLY TO CONDONATION OF
DELAY OF RESPONDENT NO.1.**

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 Application for Condonation of Delay of the Respondent No. 1 and having understood the content thereof do hereby respond on solemn affirmation state and submit as under:

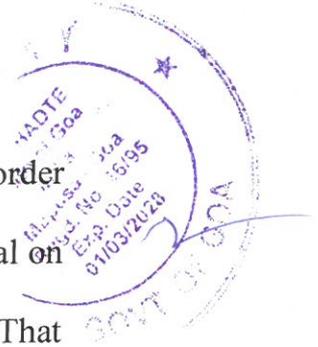


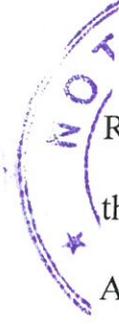


- 1) I say that at the cost of Repetition and to avoid reiteration of facts, the facts pleaded in the Appeal memo and the Application for Condonation of Delay may be treated as reproduced herein for the sake of convenience and brevity.
- 2) At the outset, all allegation and/or contentions contained in the Reply filed by the Respondent No. 1 which are inconsistent with the case set out by the Applicant are denied. Nothing contained in the Reply filed by the Respondent No. 1 shall be deemed to be admitted for want of specific traverse.
- 3) I say that the content of para 1, 2 and 3 are disputed. It is submitted that in view of the term of the GCZMA having expired on 26/12/2025, the Respondent No. 1 couldn't have filed the reply affidavit in absence of the reconstitution of the GCZMA.
- 4) I say that the contents of para 4 is a matter of record.
- 5) I say that the content of para 5 are denied. It is specifically denied that the impugned Order is passed after considering the replies filed by the Appellant and/or

that the Impugned order is a detailed or reasoned order and therefore same is challenged in the present Appeal on the basis of the grounds raised in the present Appeal. That the Appellant was not afforded with adequate opportunity to place on record various facts and records on account of which there was no effective adjudication of the rights of the Appellant which has resulted in violation of the Appellants right of Natural Justice.

- 6) The contents of para 6 are denied as false in as much as the Appellant upon being served with the Show Cause Notice had filed his Reply and had provided his proper address. Whereas the Respondent No. 1 has chosen to address the alleged communication with an incomplete address which does not even have the House No. of the Appellant. Additionally, 'Piracho Khazan' is a large area having multiple residents as such, the service may have been affected upon an unknown person with the same name. It is reiterated that subsequent to the hearings conducted by the Respondent No. 1 in December 2024, the Appellant neither heard any further from the





Respondent No. 1 nor any Final Order, if any, passed in the matter of the Appellants was communicated to the Appellants herein. The Appellant gained knowledge of the Order dated 28/02/2025 only in July 2020 upon receiving call from the office of the Village Panchayat of Morjim that the structure of the Appellant will be demolished within 10 days based upon directions given by the Hon'ble High Court of Bombay at Goa vide order dated 10/07/2025 in WP 1716/2025 (F) wherein the Appellant apprehending that the structure of the Appellants may also be up for demolition, the Appellant immediately applied to the Respondent No. 1 on 17/07/2025 for providing urgent copy of Final Order, if any passed in the matter of Show Cause Notice dated 29/10/2024 bearing reference No. GCZMA/N/ILLE-Compl/22-23/35/Part XI/2435. Only upon applying for the said Final Order vide application dated 17/07/2025, the Respondent No. 1 on 17/07/2024 issued and communicated to the Appellant the Impugned Order dated 28/02/2025 for demolition of the said structure. It is

specifically denied that that the Appellant was communicated the Impugned Order dated 28/02/2025 via Indian Post on 05/03/2025. The signature on the Postal Acknowledgement is specifically denied being that of the Appellant.



- 7) The contents of para 7 are denied. It is denied that the present Appeal is filed belatedly and beyond the limitation period. It is denied that there is delay of alleged more than 104 days. It is submitted that the Appeal was filed in urgent dispatch immediately upon knowledge of the Impugned Order dated 28/02/2024.
- 8) The contents of para 8 are denied. It is denied that the alleged delay is attributable to the Appellant. It is denied that the Appellant has made any misleading and false statement only to frustrate the implementation of the Order.
- 9) The contents of para 9 and 10 are denied. It is submitted that this Hon'ble Tribunal has the jurisdiction to condone the delay and hence this Hon'ble Tribunal be pleased to allow the Application and the delay be condoned.

Mhalankar

AFFIANT

Solemnly Affirmed at Mapusa Goa, on
this 6th day of March, 2026.

Identified by me:


Advocate for Appellant
(Adv. Austin D Souza),

Solemnly affirmed before me
Mohan Halankar
who has been identified before
my by Adv. A. D Souza
known to me personally
Mapusa On 06/03/2026
Regd. No. 1318/2026


A. K. PHADTE
NOTARY 06/03/2026
Office No. 17, First Floor,
El-Capitan Center, Mapusa, Bardez, Goa.

