

Before the National Green Tribunal
sitting at Pune, western zone,
Memorandum Of Application (under
section 18(1) read with sections 14, 15,
16 & 17 of National Green Tribunal
Act, 2010)

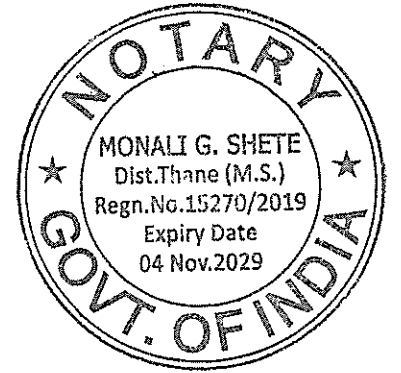
EXECUTION Application no.05
/2024

1.Sri Balvant Murlidhar Parchure

Applicant

V/S

1.Sub Divisional Officer, Sub Divisional Office Dapoli,
ors



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Before the National Green Tribunal sitting at Pune,
western zone, Memorandum Of Application (under
section 18(1) read with sections 14, 15, 16 & 17 of
National Green Tribunal Act, 2010)

EXECUTION APPLICATION NO.05 of 2024 IN
Original Application no.27 of 2022 WHICH WAS DISPOSED OFF
WITH ORDER DATED 27/03/2023

1.Sri Balvant Murlidhar Parchure

C 1011, Meridian CHS, sector 6, Nerul west, Navi
Mumbai- 400706, mobile no: 9529696343 Email:
balvantparchure@yahoo.co.in

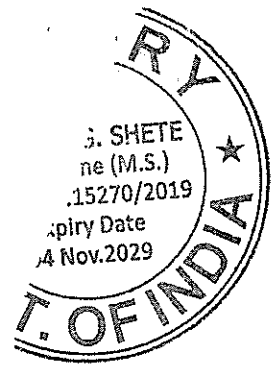
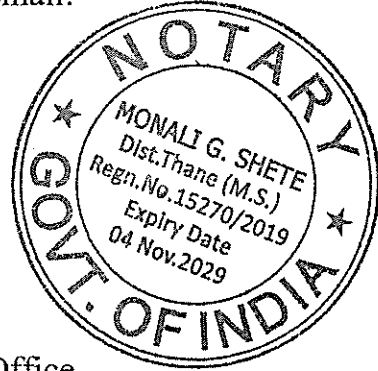
Applicant

V/S

1.Sub Divisional Officer, Sub Divisional Office
Dapoli, and at post Dapoli-415712 mobile no: not available, tel. no:
0235828203 email: sdo_dapoli@rediffmail.com

2.Collector, Ratnagiri, collector office, near Jay
stambh, at and post Ratnagiri-415612 mobile no: 9011234299,
email: revenuecollector@yahoo.in

3. Director and Member secretary (MCZMA),
Environmental department, 15th floor, new administrative building,
Mantralay, Mumbai- 400032 mobile no: 9920338628,
email:mahamczma@gmail.com



RESPONDENTS

SUB: Sub: Rejoinder against the reply filed by respondent no.1 and 2

1.Respondents no.1-2 are revenue officers and are designated environmental officers under environmental protection act 1986(EP ACT 1986) ,designated by MCZMA a state body(respondent no.3) created under costal regulatory zone rules(crz rules) covered under environmental protection act. Respondent no.3 have stated in case no.OA27/2023 on affidavit that demolition of illegal construction is responsibility of respondents no.2 and 3.

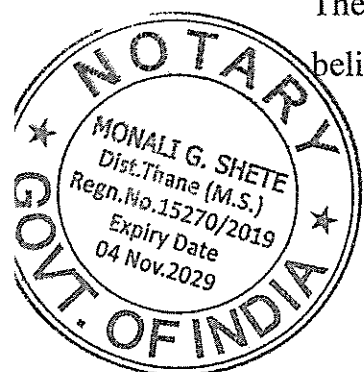
2.The present application is filed for violation of EP act 1986 and crz rules.

The revenue and designated environmental officers have to perform their duties as designated environmental officers also. It is stated by respondents no.1 and 2 that they had issued notice under section 53 MRTP act and 1966 and under section 45 of MLRC code. The notice was stayed by senior division civil court khed,ratnagiri.

They have further stated on affidavit that they have filed case in the high court to cancel the stay to this notice and is pending and order of this tribunal may effected subject to order of high court.

The statement is absolute false and case as mentioned by respondents no.2 is for pre admission ,meaning is yet to be admitted as on today also(exhibit A)

The statement made by respondents have misled the tribunal to believe that case is admitted and is pending before the high court.



3. Respondents no.2 and 3 have stated in their reply affidavit as per above only which is again false statement made on affidavit.


The only action taken by respondent no.2 and 3 after this execution application is to write letter to public prosecutor, the action taken itself shows inertia and inaction of respondents no.2 and 3.

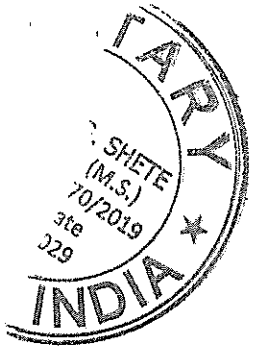
4. Stay by civil suit or civil court is not impediment for order passed by this tribunal and hence I request the tribunal to direct the errant environmental officers to invoke environmental act 1986 and crz rules to execute the order given by this tribunal .

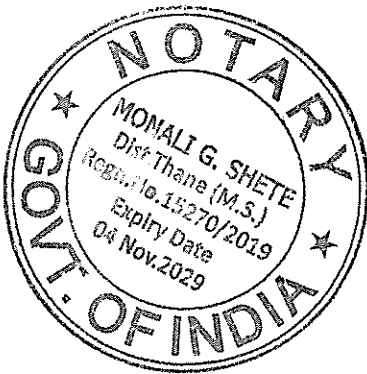
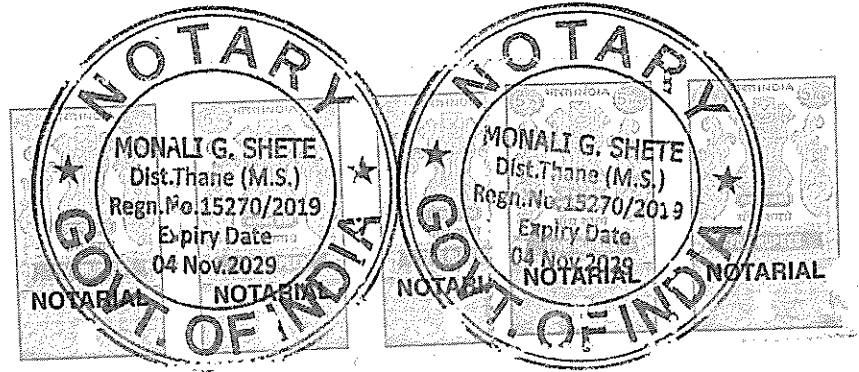
5. The tendency of these designated environmental officers appears to be to protect the violators rather than punishing violators. Considering this strictest action should be taken against law protectors who are not performing their role as law protector.

Date 13/12/2024

Sri b m parchure


applicant in person





AFFIDAVIT

I SRI BALVANT M PARCHURE AGE 67, OCCUPATION BUSINESS, FARMER, R/O GUHAGAR AND APPLICANT HEREIN SOLEMONELY AFFIRM THAT CONTENTS OF APPLICATION from 1 to 5 ARE TRUE TO MY PERSONEL KNOWLEDGE AND INFORMATION AND I SIGN HERE ON 13 th DAY OF december 2024

B. Menkure
AFFIANT



BEFORE ME
NOTARY

Monali G. Shete

MONALI G. SHETE

ADVOCATE & NOTARY
Shop No.1, Dighe House,
Behind Sai Baba Mandir,
Court Naka, Thane (W)-400601.

NOTED & REGISTERED
16568/24

13 DEC 2024

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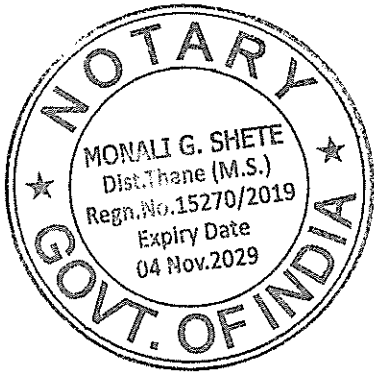
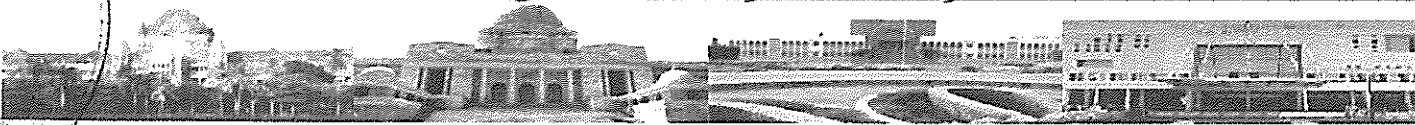


Exhibit A
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Case Details

Bench :- Bombay

CNR No. :- HCBM010166312022

e-Filing No. :- ECHCBM01001942022

e-Filing Date :- 16/04/2022

Stamp No. :- CRAFT/9787/2022

Filing Date :- 19/04/2022

Petitioner :- THROUGH COLLECTOR RATNAGIRI - ✓

Respondent :- SHRI MAYURESH ASHOK AAMBURLE - ✓

Petn.Adv. :- Government Pleader ✓

District :- RATNAGIRI **Bench :-** SINGLE

Status :- Pre-Admission

Act :- National Green Tribunal Act 2010

Under Section :- 14,29



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Bombay High Court, Fort, Mumbai -32.

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