

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

*(Under Section 18 (1) read with Section 14, 15 and 19 of the
National Green Tribunal Act, 2010)*

Original Application No. 130 of 2025

Shivkumar Tippanna Nelge

Versus

Chakan Municipal Council & 8 others

...Applicant

...Respondents

**REJOINDER TO REPLY AFFIDAVIT FILED ON BEHALF OF
RESPONDENT NO 4**

It is submitted as under-

1. The Applicant has perused the contents of the Affidavit in Reply filed by the Respondent No 4. That, the averments made in the said Reply are frivolous and hence, this Rejoinder.
2. The Applicant states that, Paragraphs 1 and 2 are formal in nature and hence, needs no reply.
3. That, the contentions in Paragraph 3 of invoking the principle of the Res Judicata is not applicable to the present Application as the OA 129/2024 was not disposed on merits by this Hon'ble Tribunal. So also, the mismanagement of the solid waste management and non-availability of the site for disposal, processing, segregation of the municipal solid waste is still an issue before this Hon'ble Tribunal which is in breach of the SWM Rules 2016.

4. Considering the contents of Paragraph 4 it can be noted that the solid waste so generated is scientifically processed by a Contractor through Tender and Resolutions to that effect is passed by R-4. The R-4 has attached Resolutions passed in the year 2019 as Exhibit A which is neither signed nor stamped by any authority.
5. It is to note that, the work order issued in the year 2021 was a 1 year contract and the R-4 has failed to place on record any document with respect to scientific disposal of the solid waste pre and post 2021.
6. Furthermore, the R-4 has failed to produce on the record of this Tribunal the document with respect to allotment of Survey No 325 as a solid waste disposal, treatment and processing facility.
7. As stated in Paragraph 8 that the issue was dealt with and considered in OA 129/2024, it is to consider that the O.A was not disposed on merits and that the issue was not thoroughly adjudicated. It is to state that, the issue of non-disposal of solid waste and non-availability of a designated site for solid waste management is an ongoing issue. In light of the same the Applicant has filed the present O.A
8. It is very premature to say that the R-4 is not liable as the OA 129/2024 has no allegations against the said authority and hence, allegations in the present O.A are to be rejected. It is pertinent to note that, the R-4 has to show through records that a designated site is available for the solid waste management as well as the fact that solid waste is scientifically disposed by it post 2016 till today.

9. In light of the above-mentioned facts and circumstances the R-4 may kindly be directed to produce the documents of the allotment of Survey No 325 as a designated site for the management for the solid waste along with the authorization of the competent authority as per the SWM Rules 2016.
10. The Hon'ble Tribunal may kindly direct the R-4 to file a signed and stamped copy of the Resolutions annexed as Exhibit-A. Further, the R-4 may kindly be directed to produce on record as to how the waste was disposed scientifically prior and post 2021.

Hence, this Rejoinder

Date - 06/07/2026

Place - Pune

A handwritten signature in blue ink, appearing to read 'S. A. Sarode', with a stylized flourish at the end.

Advocate for the Applicant

Asim Sarode and Associates