

BEFORE THE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE

I.A. NO. 62/2023

IN

APPEAL NO. 8/2023

Thomas Fernandes & Ors

.....Appellant(s)

Versus

The Goa Coastal Zone Management Authority & Ors...

.....Respondent(s)

Reply Affidavit I.A. NO. 62/2023

I Dr. Sneha Gitte, IAS, Major in age, Member Secretary of GCZMA having office at Dempo Tower, 4th floor, Patto, Panaji, Goa, do take oath and state on solemn affirmation as under:

The application under reply is not maintainable and the same deserves to be dismissed for the reasons mentioned herein below:

1. I say and submit that the Appellant had filed the Writ Petition bearing No 121/2019 before the Hon'ble High Court of Bombay at Goa. There is no reasonable justification given as to why the Appellant did not approach this Hon'ble Tribunal under section 60 of the NGT Act, 2010. It is submitted that the legal remedy to approach the Hon'ble High court was only with the intention to get the limitation period extended in viscid under the NGT Act, 2010.

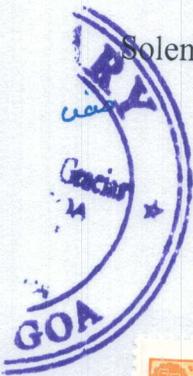
2. I say and submit that it is not true to say that there was no option available to the Appellant than to move to the Hon'ble High Court as NGT Western Zone Bench Pune was not functioning. The tribunal was functional and there was no official communication regarding the same being non functional. The Appellant has chosen to

Gitte

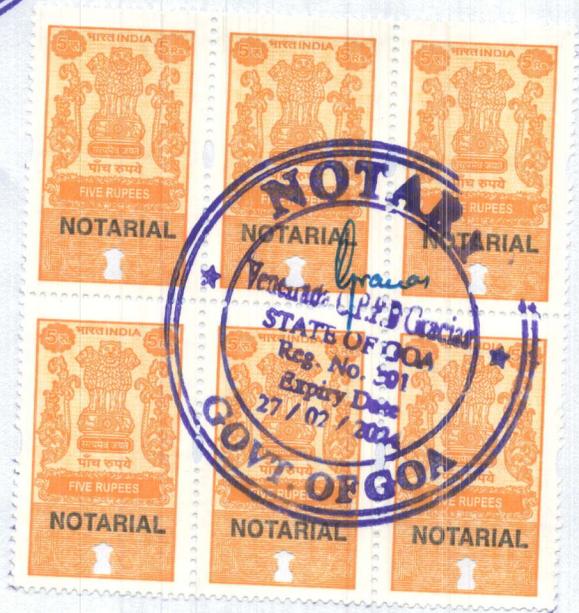
opt for his convenient forum and procure interim protection , by misrepresenting that the bench was not functional.

3. For the reasons mentioned herein above the application deserves to be dismissed with cost.

Solemnly affirmed on this 19th day of July 2023 at Panaji Goa



Sithe
Deponent
MEMBER SECRETARY
GOA COASTAL ZONE MANAGEMENT AUTHORITY
PANAJI - GOA



Solemnly affirmed before me

Dr Sneha S Gite

Who is identified before me by

_____ At Panjim - Goa

Sr. No. 123/07/2023

Date. 19/7/2023

Gracias
Venefrada C.P.P.B Gracias
Advocate & Notary Goa State