



BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN
ZONE BENCH, PUNE

IA NO. 36/2024

IN

APPEAL NO. 11/2024(WZ)

Alex J. Fernandes

...Appellant

Versus

The State of Goa & Ors

... Respondents

REPLY AFFIDAVIT TO APPLICATION FOR
CONDONATION OF DELAY BY RESPONDENT NO. 4
GCZMA.

I, Johnson Bedy Fernandes, Indian National, major of age, having office at 4th Floor, Dempo Towers, Patto, Panaji-Goa, the Member Secretary of the Respondent No. 4 above named, do on solemn affirmation state and submit as under:

1. At the outset, Respondent No. 4 denies each and every averment made in the present IA which is contrary to and inconsistent with the facts as stated out in the approval conveyed by us to the Respondent No. 13. It is submitted that no averment which has not been specifically denied should be construed as an admission on the part of this Respondent.



2. I say that present petition is not maintainable both on the point of facts as well as on merits of the case as the same has been filed belatedly only to frustrate the attempt made by the Respondent No. 4 in ensuring to meet the regulatory compliances as postulated in CRZ Notification 2011.
3. I say that this Authority upon careful examination of the request made by the Respondent No. 13 and upon verification of documents, ascertained that the structure located in the property bearing Sy. No. 200/13 of Calangute Village Bardez Taluka was a structure which was of pre 1991 era and only then the Respondent No. 4 has conveyed the approval for reconstruction of the said structure.
4. I say that the Appellant has approached this court belatedly and that too after expiry of the time limit as contained in the NGT Act.
5. I say that merely because the Hon'ble High Court in PIL Writ Petition No. 39/2023 has granted liberty to the Petitioner to avail the alternate remedies that by itself would not give him an edge for filing this present Appeal as it was for the Appellant to make a plea of such nature before the Hon'ble High Court which was not done and hence the Appellant has missed the bus for his appeal to be entertained by this Court.

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- 6. I say that in what manner and how the approvals that were conveyed for reconstruction of house is bad in law has not been espoused by the Appellant.
- 7. I say that the Appellant has failed to make any good case for his application for condonation to be entertained by this court and hence it is prayed that same be disallowed and consequently the Appeal be dismissed with costs.

[Signature]
 DEPONENT

VERIFICATION

I, the abovenamed Deponent, do hereby state on solemn oath and affirmation that the facts stated hereinabove in this Reply Affidavit are true and correct to the best of knowledge, information and belief, and nothing has been concealed.

Verified at Panaji on this 14th day of May, 2024.



[Signature]
 DEPONENT

Executed before me
 At Mangute Bardez - Goa
 Reg. No. 78/05/2024/P
 Dated: 14/05/2024

[Signature]
 Venefrada C.P.P.B Gracias
 Advocate & Notary Goa State