

BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN
ZONE BENCH, PUNE

In

Original Application No. 43/2023 (WZ)

Sagar Kantilal Devre. . . Applicant

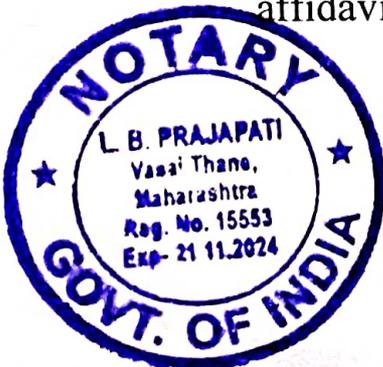
Versus

State of Maharashtra & Ors. . . Respondents

REPLY AFFIDAVIT TO THE ORIGINAL APPLICATION ON
BEHALF OF RESPONDENT NO. 4.

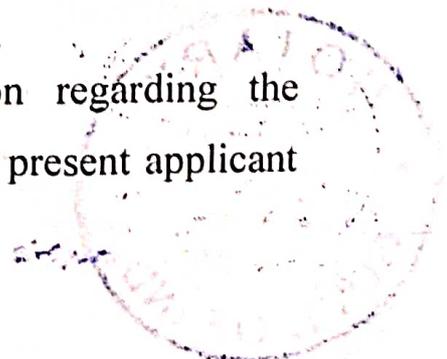
I, Arun Survase, Age – about 38 years, Occupation- Service, working as Deputy Engineer, having office at Kalanagar, Bandra, do hereby state on solemn affirmation as under-

1. I say and submit that I am authorised to file the present affidavit on behalf of the Respondent No. 4 having my address as mentioned above and competent, authorized and able to depose the present affidavit. I have perused and made myself conversant with the contents and record pertaining to the present Execution Application and I am otherwise well aware of the facts and circumstances of the present case from office records and thus competent to depose the same. I say that I am filing the present reply for the limited purpose of opposing the reliefs as sought by the Applicant. I crave leave to file a further detailed affidavit if circumstances so warrant.



2. I say and submit that at the outset, the contents, averments and statements made by the Applicant are denied by the present Respondent, except those that are specifically admitted herein.
3. I say and submit that the present application has been filed seeking the removal of encroachments on land bearing CTS No. 1320/C, 1320(part), Village Mulund, Taluka Kurla, District Mumbai, out of which a portion is reserved for Play Ground and Recreational Ground. However, there are no averments in the application against the present answering Respondent.
4. I say and submit that the said plot in question is owned by the Government of Maharashtra, which the plaintiff mentions in the present application. The applicant has also exhibited a Property Card that reflects the Government Of Maharashtra as the owner of the plot. I further say and submit that the entire application is vague and does not specify which portion of land has been encroached upon.
5. I say and submit that in the entire application there is no mention as to why this respondent has been impleaded. There are no prayers against this respondent either.

6. I further say that whatever communication regarding the encroachments has been made till date by the present applicant



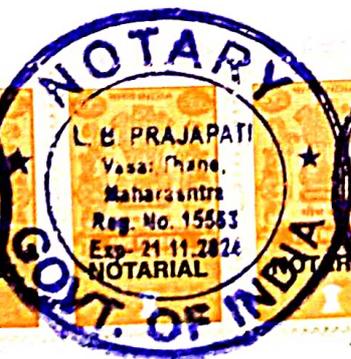
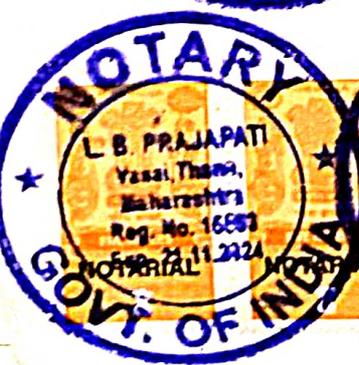
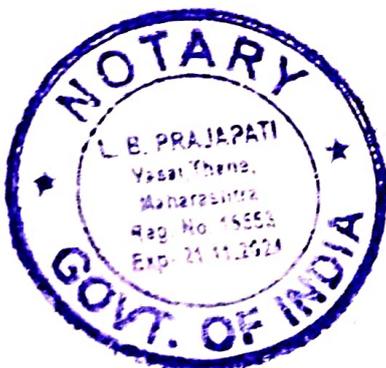
has been with the competent authority, i.e. the Deputy Collector (Enc/ REM), (Mulund) office, having its office at Topiwala College Building, Ground Floor, Dr. Sarojini Naidu Road, Mulund (W), Mumbai- 400 080. There has been no communication or correspondence with the present Respondent regarding the alleged encroachments till date.

7. I say and submit that since there is no allegation or prayer against this respondent, it is, therefore, most respectfully prayed that the name of the present answering respondent may kindly remove/ delete from the array of the parties in the interest of justice.

Solely affirmed at Mumbai)
This 27 day of July, 2023)



Arun Survase
Deputy Engineer -4
Kurla Division, Mumbai Board.



BEFORE ME


L. B. PRAJAPATI
M.A. LL.B.
NOTARY, VASAI, THANE
MAHARASHTRA
GOVT. OF (INDIA)

27 JUL 2023

L. B. PRAJAPATI (Notary Govt. of India)
NOTARIAL REGISTER
SR. No 1710/27/07 2023