

BEFORE THE HON'BLE NATIONAL GREEN  
TRIBUNAL, WESTERN ZONE BENCH (WZ), AT PUNE.

E.A. No.: 14/2025

in O.A. No.:131/2017 / M.A. No.: 06/2024

Dr. Prashant Patil

... Applicant

Vs.

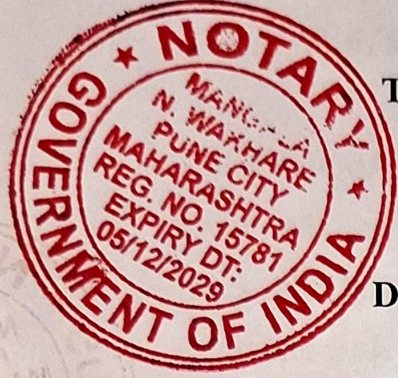
State of Maharashtra and others

... Respondents

**REPLY AFFIDAVIT OF THE RESPONDENT NO.5.**

I, **Mr. Vasant Onkar Bonde**, the Secretary and the authorized representative of the Respondent No.5 namely Bhatrumandal, Age 67 years, Occupation: Retired, residing at: Anand Society, Malkapur, Buldhana - 443101, do solemnly swear as follows:

1. I submit that this Reply Affidavit is hereby sworn by me having the first-hand knowledge of all the occurrences, incidences and happenings with regards to these proceedings and also the proceedings filed and pending before the Hon'ble High Court of Bombay, Nagpur Bench in Writ Petition No.5552/2025 filed by the Respondent No.5 herein who is the Petitioner No.1 therein. I submit that all the allegations made by the Applicant in this E.A. No.:14/2025 are false and baseless and are vehemently denied by this Respondent. I submit that the order dated 11/07/2025 passed in the M.A. No.: 06/2024 by this



Hon'ble Tribunal, is under challenge in the Writ Petition No.5552/2025.

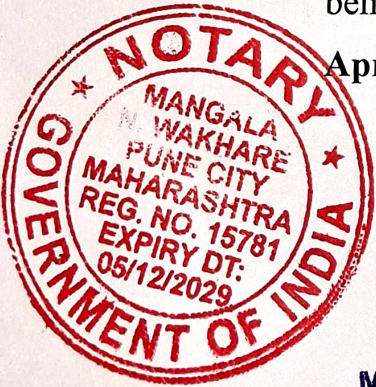
2. I say and submit that at the outset, the present Application is not true, valid and tenable in the eyes of law and that the same has been deliberately filed by the Applicant with an ulterior motive of extracting money from the Respondent No. 5 despite the Order dated 19/01/2026 passed in the aforementioned Writ Petition No.5552/2025.
3. I say and submit that the Applicant namely Dr. Prashant Patil, has conceded and made a statement through his Advocate Mr. N.G.Moharir, in paragraph no.6 of the said Order dated 19/01/2026, that he i.e. Dr. Prashant Patil shall not take steps for execution of the impugned order, till next date. I further say and submit that the next date formally after the said Order dated 19/01/2026 was on 18/02/2026, however, the said matter was not listed on that date and hence, the same is pending for the next date. Therefore, the Applicant cannot legally initiate any execution before this Hon'ble Tribunal. The online copy of the said Order dated 19/01/2026 is attached herewith for the ready perusal and reference of this Hon'ble Tribunal.
4. I say and submit that there is absolutely no prejudice etc. caused to the Applicant, moreover, the Applicant has not approached this Hon'ble Tribunal with clean hands by concealing the aforementioned Order dated 19/01/2026 and



if the Applicant still decides to pursue this execution proceedings against the Respondents, then the Applicant shall be liable for appropriate legal consequences at the Hon'ble High Court of Bombay (Nagpur Bench). I further emphatically submit and bring to the judicial information of this Hon'ble Tribunal that any order passed would be in violation of the said Order dated 19/01/2026.

5. I say and submit that this execution application be kept in abeyance, till the final legal outcome of the Writ Petition No.5552/2025.

I, **Mr. Vasant Onkar Bonde**, the **Deponent** herein, do affirm the contents of the paragraph nos. 1 to 5 hereinabove, to be true and correct to the best of my knowledge, information and belief and that I have signed this Affidavit on this 6<sup>th</sup> day of April, 2026 at Pune.



**BEFORE ME**

**MANGALA N. WAKHARE**  
ADVOCATE & NOTARY  
GOVERNMENT OF INDIA

06 APR 2026

*(Signature)*  
**सचिव**

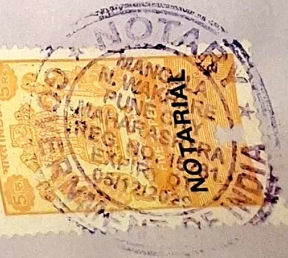
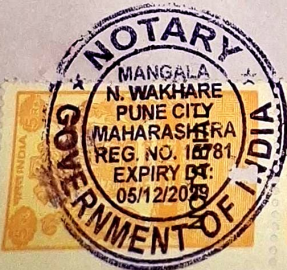
**भातू-मंडळ, मलकापू**  
**रजि.नं.एफ-४५९(बुलडाणा)**

**Deponent**

I know the Deponent

*(Signature)*

**Kaushik A. Kulkarni,**  
**Advocate**





**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
NAGPUR BENCH AT NAGPUR  
WRIT PETITION NO.5552 OF 2025**

**Bhatrumandal, Through its President and Another  
Vs.  
State of Maharashtra and Others**

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Madhur Deo, Advocate for the Petitioners.  
Ms. P.T. Joshi, AGP for Respondent Nos.1, 3 and 4/State.  
Mr. N.G. Moharir, Advocate for Respondent No.6.

**CORAM: PRAFULLA S. KHUBALKAR, J.**

**DATED : 19<sup>th</sup> JANUARY, 2026**



1. Heard learned counsel for the petitioner.
2. Petitioners' challenge is to the order dated 11.07.2025 passed by the National Green Tribunal, Western Zone Bench, Pune in Misc. Application No.06/2024 by which, the petitioners' were directed to deposit the amount of Environmental Development Compensation (EDC) with respondent No.2-Maharashtra Pollution Control Board (MPCB).
3. Learned counsel for the petitioners submits that the impugned order is passed in the execution proceedings arising out of the Original Application decided by the National Green Tribunal, which is already a subject matter of the *Writ Petition No.929/2024 Bhatrumandal and Others Vs. State of Maharashtra and Others* pending before this Court. He submits that although in the said petition the communication dated 18.10.2023 is stayed, by ignoring this fact that the impugned order is passed by the Tribunal directing deposit of further amount.
4. Advocate Mr. Moharir, appearing on caveat for the respondent No.6, raises a preliminary objection to the



maintainability of the petition on the ground of alternate remedy under Section 22 of the Act.

5. As regards the alternate remedy, learned counsel for the petitioner has relied upon the judgment of the Hon'ble Supreme Court in the matter of *Madhya Pradesh High Court Advocates Bar Association And Another Vs. Union of India and Another*, reported in *2022 SCC OnLine SC 639*. Whereas, learned counsel for the respondent has relied upon the judgment of the Co-ordinate Bench of this Court in the matter of *Prasad Naik Vs. Goa Central Zone Management Authority and Others*, reported in *2020 SCC OnLine Bom 830*.

6. Keeping open the objection about maintainability of the petition on account of alternate remedy, issue notice to the respondents returnable after four weeks.

7. Learned AGP waives service of notice on behalf of respondent Nos.1, 3 and 4/State.

8. Advocate Mr. Moharir, waives service of notice on behalf of respondent No.6.

9. Petitioners are permitted to serve the remaining respondent by private mode, in addition to regular mode of service and file affidavit of service in that regard by next date.

10. Advocate Mr. Moharir, on instructions, makes a statement that the respondent No.6 shall not take steps for execution of the impugned order, till next date.

**(PRAFULLA S. KHUBALKAR, J.)**

*Privel*