

NATIONAL GREEN TRIBUNAL WESTERN ZONE BENCH, PUNE

APPEAL NO. 529 / 2025 (WZ)

Akshay Sunil Jagtap **Appellant**
VERSUS
..... **Respondents**

1. SEIAA - Maharashtra
2. MoEF&CC
3. Maharashtra Pollution Control Board
4. Pune Municipal Corporation
5. Irrigation Department, GoM
6. Storm Water Drainage Department
7. **Bajaj Finserv Ventures Limited**

REPLY AFFIDAVIT ON BEHALF OF
RESPONDENT NO. 7
BAJAJ FINSERV VENTURES LIMITED

INDEX ON NEXT PAGE

Date : **18/11/2025**

Place : Pune

Filed by :



Adv. R. B. Mahabadi

रघुनाथ भालचंद्र महाबळ

B.E. Mechanical, M.E. Industrial Management VJTI Mumbai,
Chartered Engineer, FIE, Arbitrator – IIE India, LL.M. Mumbai

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Note:

As per the daily order dated 11/12/2025, Hon'ble NGT has taken this document on record [Point no. 3].

"The documents placed by learned counsel Mr. Mahabal are taken on record."

As a part of procedure, we are e-filing the same with pagination.

MEMORANDUM TO OPPOSE ADMISSION OF APPEAL

1. I, Mahesh Kunkulol, age about 46 years, am working as Group Head - Real Estate & Infrastructure for **Bajaj Finserv Ventures Ltd (Respondent No.7)** hereafter referred to as "**R-7/PP**".

2. I have required information from records and have authority to file this affidavit, which I hereby do on solemn affirmation and oath as hereinbelow.

3. This affidavit is submitted with the limited purpose to oppose the admission of the appeal, as it is, without omitting the unsubstantiated allegations.

4. The R-7/PP Submits that the original appeal as submitted by the appellant in its present form should not be admitted as it is, unless some prima facie evidence is shown in respect of the allegations made by him.

5. Appellant has suppressed very important and relevant fact that he had approached respondent for contract of the major of excavation for this project. When appellant did not succeed in getting any subcontract for this work he chose to pressurise, harass and inter alia akin to extort the financial benefit under coercion and threat as and

by way of filing this appeal against the R-7/PP.

6. The R-7/PP states that the *modus operandi* is to obtain the information under RTI from all those targets where the work of excavation has been sought. If the works contract is not awarded, then file the case in NGT and harass. **The moment the works contract is awarded and/or settlement is done, the appeal is withdrawn from the NGT.**

7. The R-7/PP states that if the project had legal lacuna, why would the appellant approach and pursue for working on such an illegal project which had serious environmental deficiencies, *ab-initio* right from the EC itself.

8. The R-7/PP states that the Respondent No. 3 (MPCB) has granted the 'Consent to Establish' for this project which has not been challenged by the appellant. The Consent covers all the aspects under Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 as the binding conditions, which are unchallenged and therefore in order.

9. The averments and allegations do not constitute any ingredient that would show as to how it is illegal OR against the EIA Notification 2006 OR in violation of the laid down procedure.

10. The allegations do not mention as to what is specific violation of the Act / Rule / Notification / binding procedure OR as to where is the discrepancy, deficiency, inconsistency, anomaly, contradiction, ambiguity, omission of the essential details sought for.

11. The SEAC-3 and SEIAA, both have gone through the EIA Report done through QCI-NABET Accredited Consultant and raised all the questions as though relevant and necessary by them. The EC was granted after due deliberation and after consideration of all the facts on record. **It is always presumed that anything and everything that was required to be considered relevant to this project has been included in the EIA Report and SEAC-3 and SEIAA has asked what is necessary for them to consider such project on merit – including the Form-1, 1A, Conceptual and Building Plans, EIA Report, other studies and Power Point Presentation.**

12. The R-7/PP states that grounds for appeal are non-specific without any facts and figures. The allegations are vague and unquantified. These allegations can be made in respect of any EC as those are totally arbitrary.

13. The R-7/PP states that any appellant can always file the appeal without there being any iota of merit in it simply by attaching the minutes of the SEAC

and SEIAA meetings that are on the website in public domain. Once the EC is granted, appeal can be filed by making the statement that the EC was issued without application of mind.

14. The R-7/PP states that if such appeals are admitted as it is, it will be resulting in allowing the use of Hon'ble National Green Tribunal as a tool for harassment, pressurisation, to the advantage of the respondents to serve his *mala fide* intentions.

15. The /R-7/PP states that it will also unnecessarily burden all other respondents with unnecessary task and demoralise them for no reason.

16. As such, it is important that the appellant should be put to the caution at this stage itself if allegations made in the appeal are found to be baseless then exemplary costs as spread by the respondent shall be saddled on the appellant.

Place: **Pune**
Date: **18/11/2025**

M. S. Kulkarni



FOR RESPONDENT NO. 7

VERIFICATION & AFFIDAVIT

I, Mahesh Kunkulol, age about 46 years, am working as Group Head - Real Estate & Infrastructure for M/s Bajaj Finserv Ventures Ltd (Respondent No.7), having office at S. No. 208/1B, Off Pune–Ahmednagar Road, Viman Nagar, Pune.

I do hereby verify and affirm that the facts stated above are true and correct to my knowledge, based on records, Environmental Impact Assessment Report, and statutory approvals obtained.

No relevant material, facts has been concealed.

This affidavit is filed on solemn affirmation and oath.

Place: Pune
Date: 18/11/2025



(Signature & Seal)
Authorised Signatory
For M/s. Bajaj Finserv Ventures Limited

592
NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
AND/OR ANY OTHER AUTHORITY

APPEAL No. ___ 529 / 2025 (WZ)

V A K A L A T N A M A

BETWEEN

Akshay Sunil Jagtap

.....

Applicant

VERSUS

SEIAA, Maharashtra & Ors

.....

Respondent/s

We/I hereby appoint the following Advocate/s to represent us/me and sign wherever required on our/my behalf.

Advocate R. B. Mahabal रघुनाथ भालचंद्र महाबळ

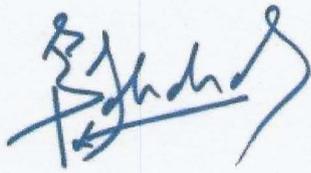
BE(Mech), ME(Prod)VJTI, CE, FIE, LLM, IIE Arbitrator, [MAH/349/2012]

Home: A-202, Chandravijay Society, Opp. Bansuri Hotel,
Phule Road, Mulund East, Mumbai-400081, Maharashtra.

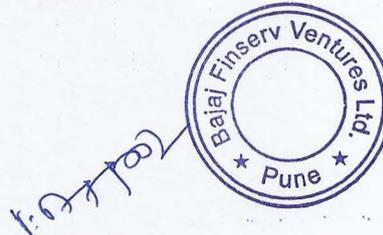
Email: adv.rbmahabal@gmail.com Cell: 7400116222

***Alongwith Adv. S. S. Gore or
any other Advocates that would be appointed by him.***

Accepted subject to payment of fees.



Raghunath Bhalchandra Mahabal
ADVOCATE



Mr. V Rajagopalan

Authorized Signatory

Mr. Mahesh Kunkulol

Authorized Signatory

Bajaj Finserv Ventures Ltd.

Date: 25/08/2025

Place: Pune



From: Akshay Jagtap <akshayjagtap117@gmail.com>
Sent: Saturday, April 13, 2024 2:47 PM
To: Mahesh Kunkulol <mahesh.kunkulol@bajajfinserv.in>
Cc: Sanjiv R Bajaj <sanjiv@bajajfinserv.in>
Subject: Re: Regarding valuable appointment for Respected SANJIV BAJAJ sir

CAUTION: This email is originated from outside of the organization. Watch the URL link very carefully before opening. Do not open attachments and links unless you recognize the sender Email ID and know the content is safe.

Respected Mahesh Sir,

I trust this email finds you well.

As we prepare for the commencement of excavation work, it is imperative for us to establish direct communication with Panchshil to ensure seamless coordination and alignment with project timelines and requirements.

I kindly request your assistance in scheduling an appointment to discuss the specifics of the excavation work and to obtain the contact details of the relevant person at Panchshil responsible for overseeing this aspect of the project.

Could you please suggest a suitable time for us to meet? Additionally, if feasible, could you provide me with the name and contact information of the individual we should liaise with at Panchshil for the excavation work?

Your support in facilitating this communication process is invaluable to us, and we are grateful for your prompt attention to this matter.

Thank you for your cooperation, and I eagerly await your response.

Regards,

Akshay Sunil Jagtap (B.E. Mechanical, MBA Operation Management, LLB)

+91-7776081234

On Sat, Apr 13, 2024, 13:39 Mahesh Kunkulol <mahesh.kunkulol@bajajfinserv.in> wrote:

Dear Akshay,

Thank you for your email.

You should reach out to Panchshil for the works that you are interested in.

Thank you.

Mahesh

From: Akshay Jagtap <akshayjagtap117@gmail.com>

Sent: Friday, April 12, 2024 11:43:50 pm

To: Sanjiv R Bajaj <sanjiv@bajajfinserv.in>; Office of the MD, Bajaj Finserv <mdoffice@bajajfinserv.in>

Subject: Regarding valuable appointment for Respected SANJIV BAJAJ sir

Some people who received this message don't often get email from akshayjagtap117@gmail.com. [Learn why this is important](#)

CAUTION: This email is originated from outside of the organization. Watch the URL link very carefully before opening. Do not open attachments and links unless you recognize the sender Email ID and know the content is safe.

Hello sir,

My name is Akshay Jagtap from Influx Technologies, Mundhawa. I am Excavation contractor. Being a mechanical engineer, I have proper knowledge of machinery and equipment and also worked for various projects of Excavation.

I request you to have appointment with you for your valuable guidance and insights from you and regarding Excavation work at upcoming Mundhawa commercial project.

Thank you,

Regards,

Akshay Sunil Jagtap (B.E. Mechanical, MBA Operation management, LLB)

Influx Technologies & Infra , Mundhawa, Pune

www.influxtech.co

+91-7776081234

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GROUNDINGS OF APPEAL**A. Non-speaking and Procedurally Defective EC**

: The EC order lacks the SEIAA meeting date and minutes reference, making it non-traceable and violating the principles of natural justice.

B. Material Misrepresentation / Suppression

: The appeal alleges suppression of the natural *naala*/canal, failure to provide a buffer zone, and misrepresentation of facts in the EIA report. It also notes a beneficiary name mismatch on the EC document itself.

C. Post-facto Clearance of Critical Risks

: Critical studies, such as the hydro-geotechnical study for deep basements and the drainage NOC, were deferred to a post-EC condition instead of being appraised prior to the clearance.

D. Geospatial and Buffer Compliance Gaps

: The project's boundary is defined by only two latitude-longitude coordinates, which is insufficient for verifying compliance with statutory setbacks for the *naala* and other sensitive features.

E. EMP Budgeting and Safeguard Omissions

: The project allegedly fails to provide a Corporate Environment Responsibility (CER) allocation and plan, which is a mandatory safeguard as per MoEF&CC Office Memoranda. Additionally, there are significant inconsistencies in the EMP costs.

F. EIA Data Contradictions:

The EIA report contains numerous data inconsistencies, including:

- i. Contradictory parking figures.
- ii. Inflated and physically impossible rainwater harvesting and aquifer recharge claims.
- iii. Ambiguous DG set capacity.
- iv. Inconsistent water reuse figures.
- v. Omission of waste oil from the hazardous waste inventory.

G. Deficient Assessments

: The appeal notes that the EIA lacks a worst-case cumulative air/noise impact scenario, a construction phase traffic analysis, and a proper biodiversity assessment with IUCN/WPA cross-checks. It also lacks a quantified C&D waste plan and an ECBC/ASHRAE compliance trail for energy savings.

NGT Cases Where Amicus Curiae Was Appointed

Application/Appeal No. and Case Title (Source Page)	Date of Order	Amicus Curiae Name	Remuneration Fixed	Paying Authority
Original Application No. 27 (THC)/2013 Baldev Singh & Anr. v. State of Punjab & Ors. (Page 7)	July 4, 2013 ¹	Mr. A.D.N. Rao ²	Required expenditure incurred by him ³	Funds of Legal Aid Service Cell ⁴
Original Application No. 127/2014 (CZ) Ajay Dubey v. Coal India Ltd. & Ors. (Page 1)	March 23, 2015 ⁵	Shri Shantanoo Saxena ⁶	₹15,000/- (Rupees Fifteen Thousand Only) ⁷	Respondent No. 1 ⁸
Original Application No. 664 OF 2018 Village (Dweep) Panchayat Kavaratti, U.T. of Lakshadweep v. District Magistrate cum District Collector & Ors. (Page 23)	May 24, 2019 ⁹	Mr. Sumeer Sodhi ¹⁰	₹50,000/- for the services rendered ¹¹	CPCB ¹²
Original Application No. 473/2018 (EZ) Tribunal on its own Motion regarding Sunderbans Forests v. Union of India and Others (Page 67)	July 9, 2019 ¹³	Mr. Subhas Datta ¹⁴	₹1 lakh (Interim payment, in addition to the earlier sum paid) ¹⁵	State Pollution Control Board ¹⁶
Suo Moto Application No. 290 of 2017 Court on its own Motion v. NCT, Delhi and Others (Page 61)	October 24, 2018 ¹⁷	Mr. I.K. Kapila ¹⁸	₹1 Lakh ¹⁹	CPCB (out of the compensation amount deposited) ²⁰
Original Application No. 123/2018 Sidhgarbyang Kalyan Sewa Samiti v. State of Uttarakhand & Ors. (Page 11)	September 16, 2020 ²¹	Mr. Raj Panjwani, Senior Advocate ²²	₹1 Lakh (Honorarium) ²³	CPCB (out of the compensation amount deposited) ²⁴
Original Application No. 249/2020 Tribunal on its own Motion v. Ministry of Environment, Forest & Climate Change and Others (Page 75)	December 1, 2020 ²⁵	Mr. Raj Panjwani, Senior Advocate ²⁶	₹1 lac ²⁷	CPCB ²⁸

Application/Appeal No. and Case Title (Source Page)	Date of Order	Amicus Curiae Name	Remuneration Fixed	Paying Authority
Original Application No. 249/2020 Tribunal on its own Motion v. Ministry of Environment, Forest & Climate Change and Others (Page 75)	December 1, 2020 ²⁹	Ms. Shibani Ghosh, Advocate ³⁰	₹25,000/- ³¹	CPCB ³²
Original Application No. 617/2022 Pushpender v. State of Uttar Pradesh and Others (Page 21)	May 16, 2023 ³³	Ms. Jesal Wahi ³⁴	Honorarium and other expenses (as ordered on 23.01.2023) ³⁵	UPPCB (from environmental compensation funds) ³⁶
Original Application No. 176/2022 Aman Chaudhary v. Union of India & Ors. (Page 96)	May 30, 2023 ³⁷	Mr. Raj Panjwani ³⁸	Honorarium and expenses ³⁹	UPPCB (out of environmental compensation funds) ⁴⁰
Original Application No. 62/2023(CZ) Meenu Kamwar Rathore v. State of Rajasthan and Others (Page 2)	July 31, 2023 ⁴¹	Mr. Sanjeet Paliwal, Advocate ⁴²	₹50,000/- (professional fee) + ₹15,000/- per visit (travel expenses) ⁴³	Rajasthan State PCB ⁴⁴
Original Application No. 273/2022 Gyanendra Pandey v. State of U.P. & Ors. (Page 32)	December 21, 2023 ⁴⁵	Ms. Mansi Chahal, Adv. ⁴⁶	₹15,000/- per appearance ⁴⁷	UPPCB (from the amount lying deposited in the environmental compensation fund) ⁴⁸
Original Application No. 701/2022 Mr. Dinesh Singla, and Others v. Mr. Ajay Goel, and Others (Page 36)	May 17, 2024 ⁴⁹	Ms. Mansi Chahal, Advocate ⁵⁰	₹50,000/- (honorarium) besides travel and other expenses ⁵¹	HSPCB (out of environmental compensation lying deposited with it) ⁵²
Original Application No. 143/2023 Sunil Vaid & Anr. v. State of Uttar Pradesh & Ors. (Page 18)	March 19, 2024 ⁵³	Mr. Rahul Khurana, Advocate ⁵⁴	₹50,000/- (honorarium) and incidental expenses ⁵⁵	Uttar Pradesh Pollution Control Board (UPPCB) (out of the amount of environmental compensation lying deposited with it) ⁵⁶

**LIST OF CASES DEALT BY THE WESTERN ZONE BENCH,
WHERE AMICUS CURIAE WAS APPOINTED**

<u>SR.NO.</u>	<u>CASE NO.</u>	<u>NAME OF PARTIES</u>	<u>NAME OF AMICUS</u>
1.	OA/20/2013	A concerned Villager from Nerul V/s State of Goa	Supriya Dangare
2.	OA/30/2013	Vinesh Kalwal V/s State of Maharashtra	Fawia Mesquita
3.	OA/31/2013	Vijay Vaidya V/s State of Maharashtra	Fawia Mesquita
4.	OA/157/2013	Society for Environmental Protection, Amravati V/s Union of India	Asim Sarode
5.	OA/6/2015	Bilal Safiullah Khan V/s Horticulture Assistant Garden Department	Supriya Dangare

NGT/PB/307/Admn./2013 / 582

26 July, 2018

NOTICE

Sub: Inviting applications for empanelment of Amicus Curiae for the National Green Tribunal – reg.

Applications are invited from eligible Advocates for empanelment of Amicus Curiae (Legal Aid) in the National Green Tribunal as per the following details:

Sl. No.	Name of the post	Qualification & Experience
i.	Amicus Curiae	<ul style="list-style-type: none"> ➤ LL.B Degree ➤ Enrolled with Bar

2. The fee will be decided by the Competent Authority on case to case basis.
3. The application must be submitted in the prescribed proforma along-with all the copies of necessary qualification / experience certificate and other relevant documents.
4. The applications must reach to the “Registrar, National Green Tribunal, Principal Bench, Faridkot House, Copernicus Marg, New Delhi – 110001 on or before 10th August, 2018 (5:00 PM).”
5. Application after the above mentioned date shall not be accepted.
6. Applications not in prescribed format shall be summarily rejected.

P.K. Sinha
(P.K. Sinha)
26/7/18
Registrar

Copy to:

- (i) PPS to Hon'ble Chaiperson
- (ii) PS to Registrar General
- (iii) DCA/DDO
- (iv) Notice Board
- (v) Computer Section for uploading on the website
- (vi) In-charge (GA Section)
- (vii) In-charge (Judicial Section)
- (viii) Notice Board
- (ix) NGT Bar Association



26/7/18

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APPLICATION FORM FOR ENROLMENT AS AMICUS CURIAE

1. Name :
2. Father's name :
3. Date of Birth :
4. Communication address :
5. Permanent address :
6. Contact number & e-mail id :
7. Chamber Address with Telephone Number:
8. Enrolment Number , date & year:
9. Education Qualifications:

Paste recent
passport size
photograph

Exam Passed	Board / university	Year of passing	Duration	Subjects	Percentage

10. Courts where Practiced / Professional Experience:

Name and place of the Court(s)	Duration of practice	Nature/type of cases dealt with	Number of environmental cases dealt with and their outcome

11. Specialization, if any:

12. Two Reference:

13. Additional information, if any:

DECLARATION:

I solemnly declare and affirm that the information given above is correct to the best of my knowledge and belief. In the event of any information being found false or incorrect in or ineligibility being detected before or after the interview/selection/engagement, my candidature may be treated as cancelled and, I shall be liable for any action as the Tribunal deem fit and proper.

(Signature)

Date:

Place:

Copy to:

- (i) PFA for the Chairman
- (ii) PFA for Registrar General
- (iii) ASAC/CO
- (iv) Notice Sheet
- (v) Computer Section for updation on the website
- (vi) Incharge CPA Section
- (vii) Incharge Judicial Section
- (viii) Incharge Staff
- (ix) Incharge Security

