

**BEFORE THE NATIONAL GREEN TRIBUNAL**

**WESTERN ZONE BENCH, PUNE**

**AT PUNE**

I.A. NO. 28/2025 (WZ)

IN

APPEAL NO. 02/2025 (WZ)

Shri Mahuva Bandhara Khetwadi Paryawaran

Bachav Samiti & Ors.

... Applicants

V/s

M/S. Nirma Cement Ltd & Ors.

... Respondents

**REPLY ON BEHALF OF RESPONDENT NO. 1 TO THE DELAY  
CONDONATION APPLICATION**

The Respondent No.1, Nirma Ltd (here and after referred to as the “Answering Respondent”) most respectfully states and submits as under:

1. The present application, as also the subject appeal, is misconceived and deserves to be dismissed *in limine*.
2. The present application, as also the subject appeal, is filed in the name of a wrong entity. To the best of information of the Answering Respondent, there is no company in the name and style of Nirma Cement Ltd. The Environment Clearances dated 16.9.2024, which are under challenge in the subject appeals, are also in the name of the Answering Respondent, and not in the name of Nirma Cement

Ltd. In the circumstances, both the present application as well as the subject appeal, are filed in the name of a wrong entity, and therefore, the question of condoning the delay in preferring the subject appeals does not arise.

3. The Answering Respondent submits that even the appeals filed on 14.10.2024, as claimed by the Applicant, were not in the name of the correct respondent, and therefore the said filing is inconsequential.
4. It is submitted that the Applicant- Appellants are aware of the Environmental Clearance being granted in the name of the Answering Respondent, but have for reasons best known only to them, filed appeals in the wrong name. This is clearly a case of neglect and not inadvertence, and therefore the delay in the filing of appeals does not deserve to be condoned. Even otherwise, the Appellant has been contesting the grant of Environment Clearance for the cement plant proposed to be set up by the Answering Respondent. Therefore, the Applicants cannot claim that they were unaware or unsure of the name of the Project Proponent.
5. In light of, what is stated here and above, the Answering Respondent submits that the Applicants have failed to disclose any reason

whatsoever for condoning the delay in preferring the subject appeals and the present application, as also the subject appeals, deserves to be dismissed *in limine* and with cost.

Date: 01/03/2025

Place: PUNE

A handwritten signature in blue ink, appearing to read 'S. S. Sani', with a stylized flourish underneath.

Advocate for Respondent No.1

ARTI S. RAJWANIYA  
NOTARY  
GOVT. OF INDIA



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**AFFIDAVIT IN SUPPORT OF REPLY TO THE APPLICATION  
FOR CONDONATION OF DELAY**

I, Ajay Khushu, adult, having office at Nirma House, Ashram Road, Ahmedabad - 380 009, do hereby state on solemn affirmation as under: -

1. I say that I am the Vice President of the Respondent No.1 in the present case. I am aware of the facts and circumstances of the present case and hence am able to depose the same on oath.
2. I say that the Respondent No.1 is filing the Reply to the IA for condonation of delay filed by the Applicant. I say that the contents of the said Reply and the present affidavit are true and correct to the best of my knowledge, information, belief and the legal advice which I believe to be correct.

WHATEVER stated herein above is true and correct to the best of my knowledge and belief and for the same I have signed hereunder at Ahmedabad on this 11<sup>th</sup> day of March, 2025.

For NIRMA LIMITED

  
AJAY KHUSHU  
Deponent  
Vice President

SOLEMNLY AFFIRMED  
BEFORE ME

  
ARTI S. RAJWANIYA  
NOTARY  
GOVT. OF GUJARAT

11 MAR 2025

