

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO.25 OF 2025

IN THE MATTER OF:

Vanashakti & Anr.

..... Applicants



Versus

City and Industrial Development Corporation
of Maharashtra (CIDCO) & Ors.

.... Respondents

REPLY TO MEMORANDUM OF APPLICATION ON BEHALF OF
RESPONDENT NO. 1 – CITY AND INDUSTRIAL DEVELOPMENT
CORPORATION OF MAHARASHTRA LIMITED (CIDCO)

I, **Shri. Chaure Dattatray Shardrao**, the authorised representative of Respondent No.1, Age- 47 Years, Occupation- Service, Office at CUC (Naina) at Cidco, CBD Belapur having their Address at: - 7th Floor, Tower No. 10, Belapur Railway stn. Complex CBD Belapur, Navi Mumbai-400614, after verifying all the records, do hereby state on the solemn affirmation that –

- A. The Respondent No. 1 is a company duly incorporated on the 17th day of March 1970, under the Companies Act, 1956. Respondent No. 1 is a Government Company as defined under Section 617 of the Companies Act, with its entire share capital subscribed wholly and exclusively by the State Government and its seven nominees. Further,





Respondent No. 1 states that it has been designated as the New Town Development Authority for Navi Mumbai pursuant to sub-section 3A of Section 113 of the Maharashtra Regional & Town Planning Act, 1966 (hereinafter referred to as "the MRTP Act 1966"). Thus, by virtue of the foregoing and in accordance with Section 118 of the MR&TP Act, Respondent No. 1 is vested with the power and authority to dispose of, by way of lease, land acquired under Section 113A of the MRTP Act 1966 and vested in it by the State Government, along with its own lands, for development purposes.

- B. The government of Maharashtra by notification no. TPS/1712/475/PK/98/12/NAVII2 dated 10/01/2013 appointed Respondent No.1 as the Special Planning Authority for the Navi Mumbai Airport influence notified (NAINA) under section 40(1)(B) of the MRTP Act 1966 for the planning and development around the Navi Mumbai Airport. The government of India, while granting the Environmental and Coastal Regulations Zone (CRZ) clearance for the proposed Greenfield Airport, the Ministry of Environment and Forest expressed concern about the unplanned and haphazard development around Navi Mumbai Airport within 25 km of the airport. In pursuance of these concerns, Respondent No.1 was notified as the Special Planning Authority for about 371 km containing 270 villages in the Pen, Panvel & Uran taluka in Raigad & Thane District. According to the notification dated 04/03/2024, right now only 94 villages are under Naina's jurisdiction. The Shilotar-Raichur village falls under said area.
- C. In the year 2014, the draft Interim Development Plan was prepared and submitted to the state government for approval. The Interim Development Plan has been sanctioned by the state government on





27/04/2017, and the State government has also sanctioned the excluded parts of the Interim Development Plan under section 31 (1) of the MRTP Act. On 16/09/2019, the State Government sanctioned the Development plan for 151 villages of the NAINA project and also sanctioned the excluded parts of the Interim Development Plan on 01/03/2019.

D. The Government has appointed Respondent No.1 as the Special Planning Authority to prepare a comprehensive action plan, development plan, development control regulation, grant permissions, control and regulate development and provide physical and social infrastructure such as roads, school, hospital, playground, garden, water treatment plan, sewage treatment plan, etc under the NAINA project. It is pertinent to note that the role of the planning authority is very important in carrying out a proper scheme, which contributes towards the development of the restricted area and to the implementation of the same, which will help achieve the above-mentioned objective.



E. Respondent No. 1 states that the present Application filed by the Applicants is totally false, misconceived and not maintainable in law.

F. The present Application is nothing but a baseless attempt on the part of the Applicants, and Respondent No. 1 submits that the Applicants are deliberately and maliciously trying to drag Respondent No. 1 into the vexatious litigation. Also, facts put forth by the Applicants in the present Application are misleading. Moreover, the Applicants have not approached this Hon'ble Tribunal with clean hands and therefore do not deserve any equitable consideration from this Hon'ble Tribunal.

235



G. WITHOUT PREJUDICE TO THE AFORESAID, THE PARAWISE REPLY TO THE SAID APPLICATION OF THE APPLICANTS IS AS FOLLOWS-

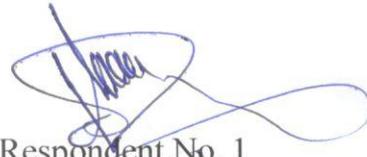
At the very outset, it is most respectfully submitted by Respondent No. 1 that unless specifically admitted, all the contentions of the Applicants in the present Application may kindly be treated as specifically denied by Respondent No.1. The paragraph-wise reply to the Application of the Applicants is as follows:

1. In reply to the contents of paragraphs no. 1 to 5 of the Application, Respondent No.1 states that the contents thereof are a matter of record and hence need no reply. However, any inferences drawn thereof are denied in their entirety by Respondent No.1.
2. In reply to the contents of paragraphs no. 6 to 14 of the Application, Respondent No.1 states that the contents thereof do not relate to or concern Respondent No. 1 and therefore, Respondent No.1 refrains from replying to the said paragraphs. However, any inferences drawn thereof are vehemently and expressly denied by Respondent No.1 in their entirety. Respondent No. 1 states that excavation of land in village Nanoshi, Taluka: Panvel, District: Raigad, survey no. 24/1/2/3/4, including mines, quarries, stones, etc., above or below ground; all rights in this regard are vested in the Revenue Department as per Section 48 (1) of the Maharashtra Land Revenue Act, 1966.
3. In reply to the contents of paragraphs no. 15 to 18 of the Application, Respondent No.1 states that the contents thereof do not relate to or concern Respondent No. 1 and therefore,



Respondent No.1 refrains from replying to the said paragraphs. However, any inferences drawn thereof are vehemently and expressly denied by Respondent No.1 in their entirety. Respondent No.1 states that the said matter is related to environmental degradation due to land excavation and land levelling. Further, the said matter has been transferred to the Revenue Department under Section 48 (1) of the Maharashtra Land Revenue Act, 1966.

4. In reply to the contents of paragraph no. 19 of the Application, Respondent No. 1 states that in the light of the above-mentioned circumstances, it is respectfully submitted that the Application is misconceived and the Applicants are not entitled to any relief claimed therefore, Respondent No. 1 prays that the present Application be dismissed against Respondent No. 1.
5. In reply to the contents of paragraphs no. 19 to 22, Respondent No. 1 respectfully submits that the contents thereof do not relate to or concern Respondent No. 1 and therefore, Respondent No.1 refrains from replying to the said paragraphs. However, any inferences drawn thereof are vehemently and expressly denied by Respondent No.1 in their entirety.
6. In reply to the prayer clause, it is respectfully submitted that the present Application is misconceived and the Applicant is not entitled to any relief claimed. Therefore, Respondent No.1 prays that the present Application be dismissed with costs against Respondent No.1.


Respondent No. 1

**CUC (NAINA)
CIDCO**

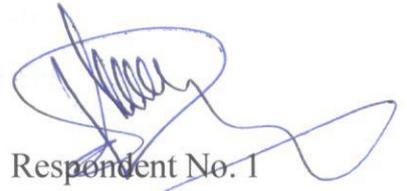


237

VERIFICATION

I **Shri. Chaure Dattatray Shardrao**, the authorised representative of Respondent No. 1, Age – 47 Years, Occupation-Service, Office At - Service, Office at CUC(Naina)at CIDCO, CBD Belapur, having their Address at: 7th Floor, Tower No. 10, Belapur Railway stn. Complex CBD Belapur, Navi Mumbai- 400614, after verifying all the records, do hereby state on the solemn affirmation that whatever is stated hereinabove is true and correct to the best of my knowledge and information.

Affirmed and signed on this _____ day of May, 2025.


Respondent No. 1

**CUC (NAINA)
CIDCO**



BEFORE ME
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416125
REKHA KISHOR HOWALE
ADVOCATE & NOTARY
GOVT. OF INDIA

04 JUN 2025

Serial No. 4313/2025
Page No. 094

