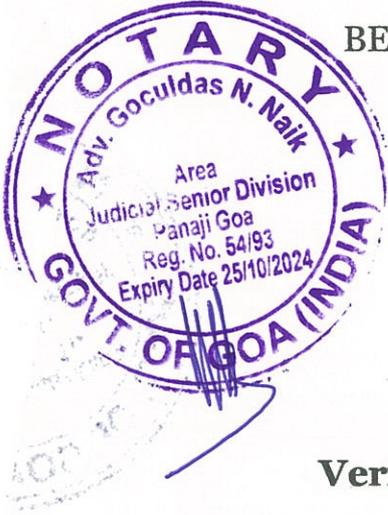


BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH, PUNE



IA No. 213/2024

in

Appeal No. 143/2024

Vernon Rodrigues

.... **Appellant**

Versus

Goa Coastal Zone Management

Authority and 2 others

.... **Respondents**

REPLY ON BEHALF OF THE RESPONDENT NO.3

1. The Application for production of Additional Documents is misconceived, frivolous, bad in law and on facts.
2. With respect to the contents of paragraph 2 of the Application, the same are denied. Notwithstanding, it is evident that the Appellant himself is not sure of the existence of these documents as he states that "it appears" that his father had applied for re construction /development in the said property.
3. Contents of paragraph 4 of the Application are denied; and are false and concocted.

4. Contents of paragraph 5 of the Application are denied; and are false and concocted. It is not conceivable that the elder sister of the Appellant would carry documents pertaining to property in Goa to the UK when her brother and his family are running their day to day affairs and business in the said property. It is further not conceivable that the elder sister could NOT have stated about the existence of these purported documents for the last 2 years when her brother has been embroiled in litigation with respect to the illegal structures before every possible forum.
5. Contents of paragraphs 6 to 9 of the Application are denied; and are false and concocted.
6. That the additional documents now sought to be produced are fabricated and manufactured. These additional documents are purported Applications and plans of the years 1982-1984 which were purportedly filed before the Village Panchayat of Candolim seeking permission for construction of the structures in the said property. The Respondent No. 3 has received information under RTI from the Village Panchayat of Candolim that no such applications for permissions



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and/or plans were ever inwards in the Village Panchayat Office and/or found in their records. The RTI information received is being annexed herewith.

Without prejudice, a bare perusal of these purported Applications and plans shows that there is a round seal stamp of the Village Panchayat of Candolim. This round seal stamp is a polymer stamp that did not even exist in the years 1982-1984, when only rubber stamps were used. Moreover there is absolutely no acknowledgement, and/or signature and/or inward number and/or any proof that the purported applications and plans were ever submitted in the Village Panchayat of Candolim Office. Thus it is clear that these additional documents are fabricated.

7. That even assuming, without admitting, that such Application and Plan was ever filed with the Village Panchayat of Candolim, the same are irrelevant for proving legality of the constructions in the said property in as much as the law is clear that in case of such pucca constructions and development in the Village of Candolim, the same ought to have been approved by the concerned Planning Authority and Block Development

JP

Officer, and the Panchayat had no powers to grant any approval with respect to such massive construction.

8. The Application is thus liable to be dismissed with costs.

Panaji, Goa

2-7-2024



Respondent No. 3

AFFIDAVIT

I, Mrs. **Judith Rodrigues**, D/o late Joseph D'Souza, 48 years of age, Indian National, resident of H.No. D-6, TRT Holiday Enclave, Near Hotel Golden Tulip, Muddo Waddo, Candolim, Bardez, Goa, do hereby on solemn affirmation state that the contents of paragraphs 1part, 2 to 5, 6part, 7part and 8 of the aforementioned Reply are true to my own knowledge and belief and/or from records, and the contents of paragraphs 1part, 6part, 7part are in the nature of legal submissions which I believe to be true and the annexures are true copies of their respective originals.

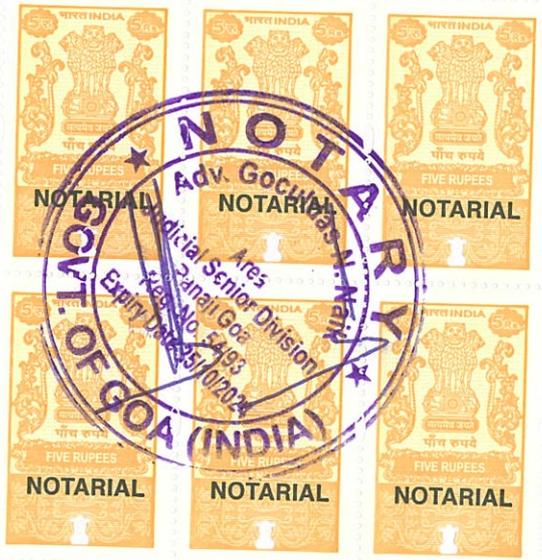


Solemnly affirmed this 3rd day of July 2024 at Panaji-
Goa.

J. Rodriguez

Deponent

Mandulao
identified by me
(Adv. A.P. Mandulao)



Solemnly affirmed and verified before me
by Judith Rodriguez

Who is attested before me
by Adv. Mandulao

Known to me

Serial No 2072/2024 Date 03/7/2024

J. Rodriguez
03/7/2024

ADV. GOCULDAS N. NAIK
NOTARY AT PANAJI
STATE OF GOA - INDIA