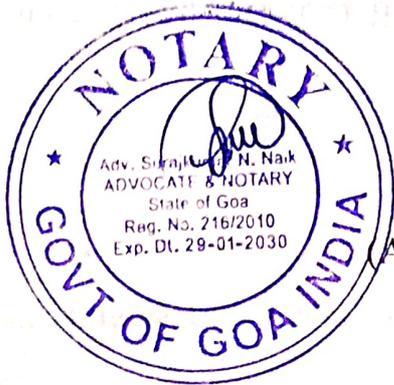


BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL



WESTERN ZONE PUNE

INTERIM APPLICATION NO. 20/2026

(APPLICATION OF CONDONATION OF DELAY)

IN

APPEAL NO: 56/2026

IN THE MATTER OF:

Mr. Pobre Jesus Vaz )..... Applicant

Between

Mr. Pobre Jesus Vaz )... Appellants

VERSUS

The Goa Coastal Zone Management

Authority & Ors )... Respondents

*Paisa*

REPLY OF RESPONDENT NO.5 TO THE  
APPLICATION FOR CONDONATION OF  
DELAY.

MOST RESPECTFULLY SHOWETH:

This Respondent No.5 most respectfully states and submits as below:

- 1) The Respondent No.5 had received the copy of the compilation via registered AD on 09-03-2026.
- 2) The Respondent herein states that the accompanying Appeal and the Application for Condonation of Delay are filed with malafide intention only to cause harassment to this respondent. Entire act of the Applicant is only to harass the Respondent undersigned.
- 3) With reference to para 1 of the Application, the same are part of record. However, the CRZ Clearance dated 30-09-2025 has been obtained by following due process of law.

  
P. Gupta



4) With reference to contents of para 2 of the application for condonation of delay it is stated that since the Appeal is not before this Hon'ble Bench for consideration neither the pleadings or grounds in the appeal will right now be relevant and it is only the delay which is right now to be evaluated whether any sufficient cause has been made out or not.

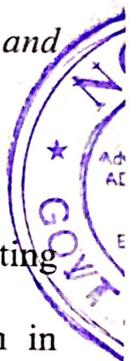


5) With reference to contents of para 3 of the Application it is vehemently denied that CRZ Clearance was never uploaded and the content of para 3 is false and frivolous. It is further submitted that the CRZ authorities in their minutes in 458<sup>th</sup> meeting of The Goa Coastal Zone Management Authority held on 17-06-2025 in the Conference hall, 4<sup>th</sup> Floor, Dempo Tower, Patto, Panjim in the presence of members at Item No. 3, Case No. 3.1 "CRZ Clearance for Barge Repair Activities at Sy. No.30/8, Cortalim Village, Murmugao Taluka, Goa" where the Authority noted and considered granting permission only to the extent of area approved by

The Captain of Ports and to the area where the applicant has valid permission subject to the monitoring ensuring adequate infrastructure of management of waste generated, adequate facilities for treatment of effluents, sewage generate from the Project Proponents. The authority thereby considered to recommend the application with direction to taker all necessary licenses from appropriate authorities.

*Copy of the minutes of 458<sup>th</sup> Meeting is enclosed and marked as Exhibit A.*

- 6) It is also pertinent to mention that Minutes of 166<sup>th</sup> meeting of Goa SEIAA was held on 10-09-2025 at 10:00am in which at point No. 3 “to decide on the representation received from M/s Desa Engineering Works to grant permission for the Dry Dock and Barge Repair Activity in Plot bearing Sy.No. 30/8 of Cortalim.” Where the authority decided to grant CRZ Clearance as per procedure. *Copy of the Minutes of 166<sup>th</sup> meeting enclosed and marked as Exhibit B.*



7) In view of the above it is apparent and prima facie clear that the Appellants who were the Petitioners before the Hon'ble High Court in PIL No. 6 and 10/2013 before the Hon'ble High Court at Goa as well as who were Appellants before this Hon'ble Tribunal in OA/16/2016 have conveniently slumbered over their rights to appear for the meetings, raise valid objection and only after the CRZ permission is granted they chose to file the present Appeal in a very casual manner.



8) With reference to contents of para 4 it is stated that the authorities had complied and acted in accordance with Principles of Natural Justice and it is the Applicant who have failed to diligently pursue their grievances.

9) With reference to contents of para 5 it is denied that the Authority has committed any error in uploading the CRZ Clearance or the minutes as alleged by the Applicants. It is

*[Handwritten signature]*

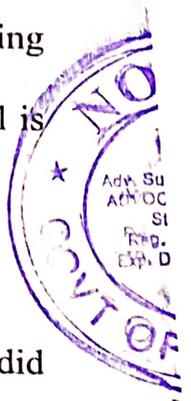
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also disputed that the appellants who are fishermen and local residents are directly affected by the project.

10) The case of the Respondent is that the Appeal along with the present application has been filed only to harass and to cause inconveniences to the respondent.

11) With reference to contents of para 6 the contention of the Applicant that they became aware of the Impugned CRZ Clearance only subsequently on 05-11-2025 upon making inquiries and RTI application and other statutory channel is false.

12) The Applicants are conveniently silent as to why they did not appear at the discussions and the meetings held at the CRZ office as the meetings for consideration of application by the Project Proponent (the undersigned) commenced only after the directions issued by the Hon'ble High Court in the Writ petition which was filed by the present Applicants.



13) The contents of para 6 are merely hypothetical and an attempt made to fill up the lacunae. Therefore, the contention is false.

14) With reference to contents of para 7 it is submitted that there is no sufficient cause at all explained. The appellants are conveniently silent as to the reason why they have not participated at the hearings considered by the authority while deciding the application of the undersigned Respondent to grant CRZ Clearance which were initiated only after the directions issued by the Hon'ble High Court in the Writ petition which was filed by the present Applicants. Therefore, the delay put forth suffers from delay and latches which are not sufficiently explained.



15) With reference to contents of para 8 the ratio sort to be implied in the case of *Padmabati Mohapatra* is not applicable to the facts and circumstances of the present case

*Quesa*

*[Faint signature]*

and in the present case the Applicants knowing well that the CRZ Clearance of the Respondent was set aside by the Hon'ble High Court with directions to apply for the clearance. The Appellants ought to have been diligent enough in pursuing the matter before the CRZ authorities. However, only after the CRZ Clearance was granted after complying all the necessary procedures and upon the publication the Appellants woke from their slumber and have ventured into the present adventure and such act is not permissible under the law as it cannot be said to be explanation of sufficient cause.

16) With reference to contents of para 9 of the Application for condonation of delay the judgment of *Sridevi Datla* is also not applicable to the present case for the simple reason that the Applicants have been in pursuit of proceedings right from 2013 and there is no justification or even a whisper indicating why was there no follow up or presence at any of the meetings conducted by GCZMA and if at all they have





skipped any hearing what steps were taken by them with the authorities from the date of order passed by the Hon'ble High Court in PIL 3/2013 and PIL 10/2013 none of these facts have been mentioned.

17) Secondly, The respondent had kept his unit closed/ non-functional in the wake of the orders passed by the Hon'ble High Court and the Hon'ble NGT in PIL 3 & 6/2013 and OA 16/2016 and only after getting CRZ Clearance did the appellants have again now come up with this Appeal with frivolous application.



18) With reference to contents of para 10 of the Application for condonation of delay, it is denied as false and it is submitted that it is an instance of clever drafting only to create and fake anxiousness. It is submitted that every Hon'ble Court, Hon'ble Tribunal and Authorities have passed well-reasoned and well-defined orders and none of the decisions have ever been challenged except after the Appellants came

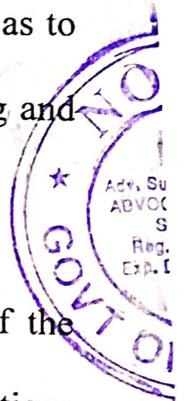
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to know that the CRZ Clearance for this Respondent have been permitted after following due process of law.

19) With reference to the contents of para 11 of the Application for condonation of delay is false. It is submitted that the appellants are not new to the issue and they were well represented by their lawyer in Pune during proceedings before this Hon'ble Tribunal in OA/16/2016. It is further submitted that the so-called voluminous record were always a part of OA16/2016 and there is no reason explained as to what curtailed the Appellants from timely participating and indulging in the hearing before GCZMA.

20) With reference to the contents of para 12 and 13 of the Application for condonation of delay are false and fictitious and pleaded only with an intention to fortify sufficient cause without pleading any.

21) With reference to contents of para 14 of the Application of condonation of delay it is clarified that a liberal and justice-



oriented approach ought to be advanced judiciously and not in the cases where private interest of parties such as settling the scores of vindications prevails such as in present case.

The law settled in adopting liberal and justice-oriented approach is not absolute and cannot be mis-utilized in cases where vested interest is camouflaged.

22) With reference to contents of para 15, 16 and 17 of the Application for condonation of delay does not apply to the facts of the present case where the applicants have failed to explain why, how and when did they lose the connectivity with the CRZ and mere application of ratio decided in the other cases with uttermost respect cannot be applied to the present case.



23) With reference to the contents of para 18 of the Application for condonation of delay it is false and it is submitted that the Appellants have never been diligent and have slumbered

*[Handwritten signature]*

over their actions and by way of fictitious contents have file  
this application before this Hon'ble Tribunal.

24) With reference to para 19 of the Application for  
condonation of delay it is submitted that there will be no  
prejudice caused to the appellant if the Application for  
Condonation of Delay is dismissed.

**PRAYER**

In the view of the above the Respondent No. 5 humbly pray  
that this Hon'ble Tribunal may be pleased to:

- a. The Application for Condonation of Delay filed by  
the Applicants be dismissed.
- b. Pass any further and other orders in the interest of  
justice as this Hon'ble Tribunal deem fit and proper.

Date:

Place:

Respondent

No.5

*[Handwritten signature]*



VERIFICATION

I, Mr. Raymond Desa, proprietor M/S desa Engineering Works,  
 Respondent No.5 hereinabove named, 56 years of age,  
 Businessman, resident of H.No. 907, Maddant, Cortalim, Goa -  
 403710, do hereby on solemn oath verify that contents of the para  
1 to 24 are true to best of my knowledge and records to  
 which I have access.



Solemnly verified on 16/03/2026 at Goa

*Raymond*  
 Deponent

Executed before me  
 by Mr. Raymond  
Desa Prop. M/s. desa Eng. Works  
 which I attest



*Surajkumar N. Nalk*  
 Adv. Surajkumar N. Nalk  
 NOTARY  
 STATE OF GOA  
 36, Ground Floor, Apra Bazar, Bldg.,  
 VASCO-DA-GAMA, GOA - 403 802  
 Date: 16/03/2026  
 Reg. No.: 492-6/2026

AFFIDAVIT

I, Mr. Raymond Desa, proprietor M/S desa Engineering Works,  
 Respondent No.5 hereinabove named, 56 years of age,  
 Businessman, resident of H.No. 907, Maddant, Cortalim, Goa -  
 403710, do hereby on solemn oath affirm that contents of the para  
 (M) 1 to 24 are true to best of my knowledge and records to  
 which I have access.

Solemnly affirmed on 16/03/2026 at Vasco Goa.



Solemnly affirmed before me by  
Mr. Raymond Desa  
prop. M/s. desa Eng. Works  
 who is identified to me by \_\_\_\_\_  
 \_\_\_\_\_  
 whom I personally know

Raymond Desa  
 Deponent

Adv. Surajkumar N. Nalk

NOTARY  
 STATE OF GOA

36, Ground Floor, Apna Bazar, Bldg.,  
 VASCO-DA-GAMA, GOA - 403 802.

Date: 16/03/2026  
 Reg. No.: 4927/2026

VAKALATNAMA

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL  
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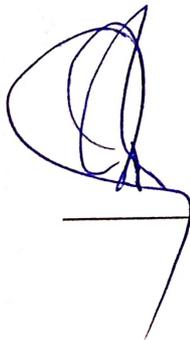
)... Appellants

VERSUS

The Goa Coastal Zone Management  
Authority & Ors

)... Respondents

I, Raymond Desa, Proprietor M/S Desa Engineering Works,  
Respondent No. 5 herein, do hereby appoint and authorize Adv.  
Balkrishna. P. Sardesai, Adv. Shankar Swaminathan, to  
represent the interest of the Respondent No. 5.

  
\_\_\_\_\_

Respondent no. 5

  
\_\_\_\_\_

Adv for Respondent No.5

Place: Pune

Date: \_\_-03-2026

OFF ADDRESS:

Adv. B. P. Sardessai, Nagesh Prasad, Cortalim. 9834723395

email: girish\_sardessai@rediffmail.com