

**BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN
ZONE**

BENCH, PUNE AT PUNE

I.A . No. 461/2025

IN

APPEAL NO. 428/2025

IN THE MATTER OF:-

DIPIN SHRIDHAR MORZO

.... APPELLANT

Versus

GOA COASTAL ZONE MANAGEMENT

AUTHORITY & ANR.

....RESPONDENTS

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FILED THROUGH


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PLACE: Pune

DATE: 23/08/2025

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**REPLY TO APPLICATION ON BEHALF OF RESPONDENT NO. 5
FOR CONDONATION, I.A 461/2025 FILED BY THE APPELLANT
IN APPEAL NO. 428/2025.**

MOST RESPECTFULLY SHOWETH:

I, Shri. Anil Prabhakar Naik, S/o late Prabhakar Shambhoo Naik,
R/o - 64/F, Parel Village, Parel, Mumbai -400012, do hereby
solemnly affirm and state on oath as under:-

1. That I am the Respondent No. 5 and such I am well conversant with the facts and circumstances of the case and in that capacity I am duly competent to swear to the present affidavit.

Anil Naik



2. That after carefully going through the Application filed on behalf of the Appellant, I am submitting the present Reply for kind consideration of this Hon'ble Tribunal.
3. I state that the Appellant has filed the present Appeal challenging the demolition direction bearing reference No. GCZMA/N/Ille-Compl/22-23/35/Part/IV/3732 dated 10/02/2025 passed by the Respondent No. 1 Goa Costal Zone Management Authority (GCZMA) directing demolition of structure "Z4". There is delay in filing the said Appeal and hence the Appellant has filed this present Application for Delay Condonation.
4. I state that the contentions raised in the Application are not true and correct and the same are denied by the Respondent. There is no justifiable reason mentioned by the Appellant for filing an Appeal after the delay of 151 days. The Appellant has vaguely mentioned that all of sudden on 05/08/2025, the Appellant was taken by surprise upon receiving call from the office of the Village Panchayat that the structure of the Appellant will be demolished within 10 days. The conjectures made by the Applicant in the present I.A are without any sufficient cause and evidence. The grounds advanced by the



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Applicant for the delay, do not constitute sufficient cause under law. The reason for delay is attributable to the Appellant's internal inefficiencies, which cannot be treated as valid reasons for condonation.

PARA -WISE REPLY:

5. The contents of para -1 are admitted to the extent that the Appeal under section 16 of the National Green Tribunal Act, 2010 (NGT Act), impugning the direction bearing reference No. GCZMA/N/Ille-Compl/22-23/35/Part IV/3732 dated 10/02/2025. However, it is vehemently denied that the impugned order received on 05/08/2025 was passed by Respondent No. 1.
6. The contents of Para 2 are a matter of fact and record, and same does not mandate a reply.
7. The contents of the 3 are admitted to the extent that the show cause notice was issued in the name of late Shridhar Morje. However, it is vehemently denied that the Applicant raise any objection to the issuance of notice in the name of his late Father. That the Applicant never brought to notice or objected anywhere in his reply filed before the Hon'ble GCZMA vide

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dated 13/11/2024. That the Applicant participated in the entire proceeding before the GCZMA, without any objection to the show cause notice issued in the name of his Late father Shridhar Morje. It is further submitted that the objection were filed and raised by the Respondent No. 5 herein in the rejoinder filed vide dated 21/11/2024, where the objection was raised that the Applicant herein has no locus to participate in the proceedings as the Applicant failed to bring on record the succession deed before the GCZMA. That despite that the Applicant duly participated in the proceeding and due process was followed, after the demolition order was passed by the GCZMA. It is further submitted that all the correspondence in proceedings before the GCZMA was done by the Applicant and the Applicant was duly communicated by the authorities about the demolition of the illegal structure.

8. That the assertions made in Para -4 by the Applicant are wrong and denied. It is specifically denied that all of sudden on 05/08/2025 the Appellant was taken by surprise upon receiving call from the office of the Village Panchayat that the structure of the Appellant would be demolished within 10



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days based upon the directions given by the Hon'ble High Court of Bombay at Goa vide order dated 10/07/2025 in WP 1716/2025 (F). However, the order passed by the Hon'ble High Court vide dated 10/07/2025 extends only till 20/07/2025, to implement the order passed by the GCZMA vide dated 10/02/2025, despite the direction of the Hon'ble High Court, the demolition could not take place, the reason best known to the authorities. Further, the conjectures of getting a sudden call on 05/08/2025 are not only vague and concocted stories but also without any sufficient cause and evidences. Since the order of demolition was passed way long ago vide dated 10/02/2025.

9. That the assertions made in para 5 by the Applicant are unavailing at best. It is submitted the collection of impugned order are routine administrative activity that should have been completed promptly within the statutory limitation period by the Applicant. These do not amount to circumstances beyond the Appellant's control or justify the delay in filing the Appeal.

10. That the assertions made in Para -6 by the Applicant is denied. It is further denied that the Appeal is filed with most

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urgent dispatch on 10/08/2025 within 5 days of actual communication of the impugned order and in terms of section 16 of the NGT Act. It is submitted that the applicant despite filing reply and having knowledge of demolition, deliberately choose to sit silent on the impugned order to sabotage the rights of the Respondent No. 5.

11. That the assertions made in Para -7 by the Applicant is denied. It is submitted that the aforementioned reasons reflects inefficiency and lack of due diligence by the Applicant. Administrative delays, as mentioned in the I.A, do not constitute sufficient cause for condonation of delay under the law.

12. That the assertions made in para 8-9 by the Applicant are denied. It is submitted that Hon'ble Tribunal's authority to condone delays is contingent upon the Applicant establishing sufficient cause, which the Applicant has failed to do in the present case. It is further submitted that condoning the delay would prejudice the Respondent and undermine the statutory scheme of strict adherence to limitation periods. The claim that no prejudice will be caused to the Respondents is unfounded. It is humbly submitted that



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granting condonation for administrative inefficiencies or voluntary actions by the Applicant gives them undue advantage, setting a precedent for bypassing statutory timelines. This Places the Respondent at a disadvantage, as they must abide by the same strict timelines without similar concessions. It is submitted that condoning the delay would prejudice the Respondent. It is submitted that the present Application is an attempt to justify the Appellant's lack of diligence in pursuing legal remedies and does not serve the interest of justice.

PRAYERS

Therefore in view of the above reply it is graciously prayed that:-

1. Dismiss the Application for Condonation of Delay, as it lacks sufficient cause and fails to meet the statutory timeline established under law;
2. Pass such other or further order(s) as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.

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[Handwritten Signature]

(ANKUR KUMAR & ASSOCIATES)

Counsels for the Respondent No. 5

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Mobile No. 9384503190

Email:-ankurtnls.18@gmail.com

PLACE: Pune

DATE: 23/08/2025

Solemnly affirmed on this 23rd day of August, 2025 at Goa

[Handwritten Signature]
Identified by
(ANKUR KUMAR)

[Handwritten Signature]
Deponent

Solemnly affirmed / verified before me by
Anil Prebnaka
Doa. Ic
known / identified to me by
Rudrao Can

[Handwritten Signature]
Ganesh S. Kubel
Notary
Govt. of India
Panvel - Goa
H/99 23/8/2025

