

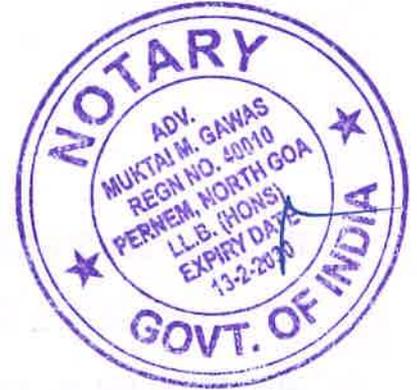
**BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN  
ZONE**

**BENCH, PUNE AT PUNE**

**I.A . No. 159/2025**

**IN**

**APPEAL NO. 117/2025**



**IN THE MATTER OF:-**

MR. SADGURU RAGHUVVEER  
PEDNEKAR & Ors

.... APPELLANTS

*Versus*

GOA COASTAL ZONE MANAGEMENT  
AUTHORITY & ANR.

....RESPONDENTS

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FILED THROUGH

  
**(ANKUR KUMAR & ASSOCIATES)**

Counsels for the Respondent No. 5

2<sup>nd</sup> Floor, Alankar Apartment,

St. Mary Colony, Miramar, Goa -403001

Mobile No. 9384503190

Email:-ankurtnnls.18@gmail.com

PLACE: Pune

DATE: 17/9/2025

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**REPLY ON BEHALF OF RESPONDENT NO. 5 FOR  
APPLICATION FOR STAY, I.A 159/2025 FILED BY THE  
APPELLANT IN APPEAL NO. 117/2025.**

**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

*Anil Naik*

in that capacity I am duly competent to swear to the present affidavit.

2. That after carefully going through the Appeal 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/22-23/36/Part/3970, dated 28/02/2025 passed by the Respondent No. 1 Goa Costal Zone Management Authority (GCZMA), directing demolition of illegal structure.
4. At the outset, the contents, allegations and averments made in Stay Application are denied ad seriatim as though traversed, save and except as rare matters of record and/or as are specifically admitted herein. It is stated the contents of the Application are baseless, incorrect and liable to rejected at the threshold.
5. 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. The conjectures made by the

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Applicant in the present I.A. 159/2025 are without any sufficient cause or evidence.

**PARA -WISE REPLY:**

6. It is stated that the allegations and the averments of the Appellant/Applicant in Para -1 of the Stay Application bearing I.A 159/2025 are false, incorrect and baseless. It is stated that the Appellant/Applicant is seeking to deliberately mislead this Hon'ble Tribunal with grossly false assertions.
7. The contents of the Para 2 are a matter of record and need no reply.
8. The Contents of Para 3 of the Application are misleading facts while suppressing the material facts on record in order to prejudice this Hon'ble Tribunal against the Respondent No. 5. That the contents of Para -3 are vehemently denied. It is denied that the said structure existing in the said property was constructed prior to 1991, i.e. prior to the CRZ Notification coming into force. It is submitted that the said illegal structure is a newly constructed structure without any permission from the authorities that fall within the CRZ, Sy. No. 116/35, which is NO DEVELOPMENT ZONE,

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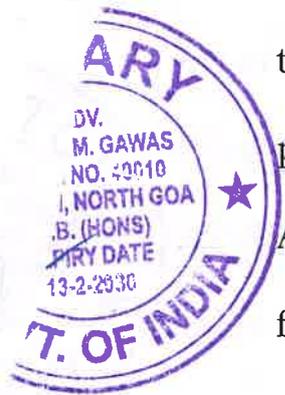


and the said illegal structure is used for commercial activities by the Appellant herein.

9. The Contents of Para 4 of the Application are misleading facts while suppressing the material facts on record in order to prejudice this Hon'ble Tribunal against the Respondent No. 5. That the contents of Para -4 are vehemently denied. It is denied that direction passed by the Respondent No.1 is bad in law. That the Appellant has done altogether 5 new construction which falls under NO DEVELOPMENT ZONE, that is why the Hon'ble High Court directed to seal the premises and there is no defence of Mapping in the Appellant case, but after order is passed against him after following due process of law, and the Applicant failed to prove his case on merit and rightful legal defence before the GCZMA, now making a contradictory stand before this Hon'ble Tribunal.

10. The Contents of Para 5 of the Application are misleading facts while suppressing the material facts on record in order to prejudice this Hon'ble Tribunal against the Respondent No. 5. That the contents of Para -5 are vehemently denied. That the Applicant is doing commercial

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activity by renting the premises to tourist and has nothing to do with fishing. It is submitted that the Applicant has violated the CRZ norms by constructing illegal structures in NO DEVELOPMENT ZONE in the said property without prior permission from the authority.

11. The Contents of Para 6 of the Application are misleading facts while suppressing the material facts on record in order to prejudice this Hon'ble Tribunal against the Respondent No. 5. That the contents of Para -6 are vehemently denied. It is submitted that the Applicant is the violator of CRZ provision as the Applicant has no prior permission from the CRZ for the construction of this illegal structure in the said property in the Sy. No. 116/35, which is NO DEVELOPMENT ZONE.

12. The Contents of Para 7 of the Application are misleading facts while suppressing the material facts on record in order to prejudice this Hon'ble Tribunal against the Respondent No. 5. That the contents of Para -7 are vehemently denied. It is denied that the illegal structure existed prior to CRZ regulation and as such, on the basis of the permissions already placed on record. It is submitted

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that the house/structure was constructed without the plinth and without the permission of the landlord, however, till date he has not placed on record any supporting documents in his favor and the permission of the landlord. It is submitted that the Appellant is the violator of the CRZ provision as the Appellant has no prior permission from GCZMA for the construction of this illegal structure in the said property in the Sy. No. 116/35 in the NO DEVELOPMENT ZONE, where no new construction is allowed.

13. The Contents of Para 8-9 of the Application are misleading facts while suppressing the material facts on record in order to prejudice this Hon'ble Tribunal against the Respondent No. 5. That the contents of Para -8-9 are vehemently denied.

14. The Contents of Para 9 of the Application are misleading facts while suppressing the material facts on record in order to prejudice this Hon'ble Tribunal against the Respondent No. 5. That the contents of Para -9 are vehemently denied. It is submitted that the Applicant has failed to make even a prima facie case against the illegal

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structure. Therefore, the balance of convenience lies in favor of the answering respondent, especially when the Applicant has bought nothing on record to point out any permission for illegal permission from authorities, and this Hon'ble Tribunal ought not to stay the impugned order. It is further submitted that the interim application are mala-fide, motivated and false.

**PRAYERS**

It is most respectfully prayed that this Hon'ble Tribunal may be pleased to:

- i. Dismiss the present I.A 159/2025 with exemplary costs;
- ii. 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.

FILED THROUGH

*Apnail*

*Ankur K*

**(ANKUR KUMAR & ASSOCIATES)**

Counsels for the Respondent No. 5

2<sup>nd</sup> Floor, Alankar Apartment,

St. Mary Colony, Miramar, Goa -403001

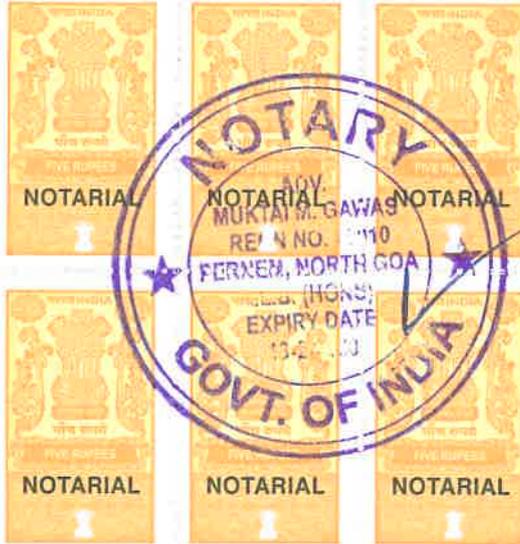
Mobile No. 9384503190



Email:-ankurtnnls.18@gmail.com

PLACE: Pune

DATE: 17/9/2025



Solemnly affirmed Before me by Anil Praphakar  
Wair who has been Identified before me by  
Adhar Card known to me personally  
 Permem on 17/9/25 Regn. No. 756/25

*Manohar*  
 ADV. MUKTA MANOHAR GAWAS  
 NOTARY  
 PERNEM, NORTH GOA  
 GOA

