

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

BENCH, PUNE AT PUNE

I.A . No. 462/2025

IN

APPEAL NO. 428/2025

IN THE MATTER OF:-

DIPIN SHRIDHAR MORZO

.... APPELLANT

Versus

GOA COASTAL ZONE MANAGEMENT

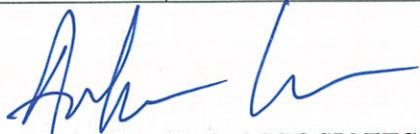
AUTHORITY & ANR.

....RESPONDENTS

INDEX

<u>SL. NO.</u>	<u>PARTICULARS</u>	<u>PAGE NO.</u>
1.	REPLY TO APPLICATION FOR STAY, I.A NO. 462/2025 FILED BY THE APPELLANT IN APPEAL NO. 428/2025 ALONG WITH AFFIDAVIT.	1-11

FILED THROUGH


(ANKUR KUMAR & ASSOCIATES)

Counsels for the Respondent No. 5

2nd Floor, Alankar Apartment,

St. Mary Colony, Miramar, Goa -403001

Mobile No. 9384503190

Email:-ankurtnls.18@gmail.com

PLACE: Pune

DATE: 23/08/2025

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

BENCH, PUNE AT PUNE

I.A . No. 462/2025

IN

APPEAL NO. 428/2025

IN THE MATTER OF:-

DIPIN SHRIDHAR MORZO

.... APPELLANT

Versus

GOA COASTAL ZONE MANAGEMENT

AUTHORITY & ANR.

....RESPONDENTS

**REPLY TO APPLICATION ON BEHALF OF RESPONDENT NO. 5
FOR CONDONATION, I.A 462/2025 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 Prabhakar Naik



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/22-23/35/Part/IV/3732 dated 10/02/2025 passed by the Respondent No. 1 Goa Costal Zone Management Authority (GCZMA) directing demolition of structure "Z4".
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 Appellant has concocted and vaguely mentioned that all of a sudden on 05/08/2025, the



at mail

3

conjectures made by the Applicant in the present I.A are without any sufficient cause and 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 462/2025 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 authorities that fall within CRZ, and the said illegal structure is used for commercial activities by the Appellant herein.

apnaik



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 herein was duly served with the Show cause notice 29/10/2024, and duly participated in the proceedings before GGZMA as per the due process of law and the Appellant never objected or filed any objection to the show cause notice issued in the name of Appellant's father. It the Respondent No. 5 who brought to the notice of the Hon'ble GCZMA, that the Appellant herein has no locus to pursue the matter as he failed to bring the succession deed on record. The contents of the Para -2 are self -contradictory to the contentions raised by the Applicant in I.A 462/2025. It is further submitted that if the show cause notice was issued in his late father name, the Applicant would have objected in his reply or would chose not to attain the proceeding, but after order is passed against him after following due process of law, and the Applicant failed to prove his case on merit and



Atmail

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. It is denied that the said structure identified as Z4 sought to be demolished substantially lies beyond CRZ line, i.e lies majorly beyond the 500 mts. CRZ line. It is submitted that the Applicant has violated the CRZ norms by constructing illegal structures 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 denied that the impugned order, the Respondent No. 1 has wrongly considered the fact at loco in as much as majority of the structure is located outside CRZ area and it is further denied that it is only portion that is falling within the CRZ line. It is submitted that the Applicant

apnaik



is the violator of CRZ provision as the Applicant has no prior permission from CRZ for the construction of this illegal structure in the said property.

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 further denied that the dwelling units are being used purely for residential purpose only and continue to follow all the provisions of law. It is submitted that the respondent is the violator of CRZ provision as the Applicant has no prior permission from GCZMA for the construction of this illegal structure in the said property. 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 -8 are vehemently denied. It is denied that the illegal structure exist prior to CRZ regulation and as such, on the basis of the permissions already placed on record. It is submitted that the house/structure constructed without the plinth and without the permission of



Atmaile

7

the landlord, however, till date he has not placed on record any supporting documents in his favor and the permission of the landlord.

13. 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.

14. With regard to the contents of Para-10-11, it is submitted that the Applicant has failed to make even a prima facie case against the illegal structure. Therefore, the balance of convenience lies in favor of the answering respondent, especially when the Applicant has brought 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.

PRAYER

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

- i. Dismiss the present I.A 462/2025 with exemplary costs;

Aparna K



e

- 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

**(ANKUR KUMAR & ASSOCIATES)**

Counsels for the Respondent No. 5

2nd Floor, Alankar Apartment,

St. Mary Colony, Miramar, Goa -403001

Mobile No. 9384503190

Email:-ankurtnnls.18@gmail.com

PLACE: Pune

DATE: 23/08/2025

iii.



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

BENCH, PUNE AT PUNE

I.A ____/2025

IN

APPEAL NO. 428/2025

IN THE MATTER OF:-

DIPIN SHRIDHAR MORZO

.... APPELLANT

Versus

GOA COASTAL ZONE MANAGEMENT

AUTHORITY & ANR.

....RESPONDENTS

AFFIDAVIT

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:-

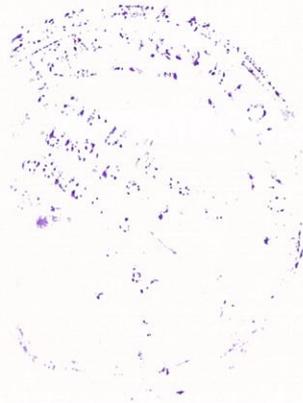
1. I state that I am the Respondent No. 5 in the present Application/Appeal, and being fully conversant with the records, facts, and circumstances of the case, we are competent to swear this affidavit.

Anil Naik



10

2. I have read and understood the contents of the accompanying Application/Appeal. The contents of the Application/Appeal are true and correct to my knowledge and the same are not being repeated herein for the sake of brevity.
3. That no part of this affidavit is false and no material facts have been concealed therefrom.



Anil Naik
DEPONENT

VERIFICATION

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, above named Deponent do hereby verify that all the facts stated in the affidavit are all true to my knowledge no part thereof is false and nothing material is concealed therefrom.

Anil Naik



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

Goa.

Adwait
DEPONENT

Ankur

Identified by:

(*ANKUR KUMAR*)

Solemnly affirmed / verified before me by
Anil Prabhakar
Anil
known / identified to me by
Dachar

Ganesh

Ganesh S. Kubal

Notary
Govt. of India
Panaji - Goa

H/101-25/8/25

