

BEFORE THE NATIONAL GREEN TRIBUNAL WESTERN ZONE
BENCH, PUNE

Original Application 194/2024

Satyaprakash Bastiram Sharma

...Applicant

Versus

Maharashtra Pollution Control Board & Ors.

...Respondent

28 APR 2025

REPLY ON BEHALF OF RESPONDENT NO. 7



I, Mr. Surendra Ramchandra Kharabi, Age : 42 years, Occupation : Business,
Residing at; Gat No.378/3, Near Indian Oil Petrol Pump, Village Kharabwadi,
Taluka - Khed, District - Pune- 410501,

do hereby beg to state on solemn affirmation as under:

1. The present Respondent denies each and every allegation made by the Applicant in the present Original Application. Nothing accepted specifically shall otherwise be considered as denied by the present Respondent.
2. I submit that it is true to say that he has been residing in the Gat No.378/3 in Kharabwadi. This is the ancestral land of the Respondent which is shared by the other legal heirs for residential purposes as per the arrangements made within their family. I say and submit that the said Gat No. is the ancestral property and as mutually agreed and understood by the respondent no. 2 to 8, the said property is possessed as shown in the sketch drawn by the present respondent in **Annexure 'A'**.

Surendra Kharabi

4. I deny the allegation made in para 2 of the Original Application that the Respondent has raised structures and are illegally residing in them. I am residing in the part of land allotted to me whereas the entire land is shared by the other heirs of the property. I say and submit that no illegal structures have been erected nor any encroachment has been done by me in pursuant to the land of the Applicant.
5. I further say and submit that it is not true to say that I am letting out sewage waste and other solid waste in the land of the Applicant as I have my own independent pipeline for the disposal of waste water and sanitary waste which is attached to the pipeline of the Respondent No. 9.
6. I say and submit that the land bearing Gat No. 378/3 Village Kharabwadi, Taluka Khed, District Pune is jointly owned and possessed by all the private respondents.
7. I say and submit that the sewage generated in my property has a separate pipeline which directly connects to the drainage pipeline of the Respondent no. 9 which is the Gram Panchayat, Village Kharabwadi.
8. It is further submitted that the sewage and solid waste generated in the portion of land which is in my possession is taken care of and there is no environmental hazard caused by me to the applicant and his property.
9. It is further submitted that applicant has filed a complaint against Respondent no. 2 to 8 in the office of Respondent no. 9 and the hearing of the said complaint was scheduled on 16.4.2021 but the applicant did not remain present on the date of hearing for the reasons best known to him. Hence adverse inference can be drawn against the applicant in this regard.
10. I say and submit that I have requested the Respondent no. 9 to visit and inspect the portion of Gut No. 378/3 which is my possession to verify the ground possession. In view of the same on 14.2.2025 the Respondent No. 9 had carried out site inspection and observed that the sewage generated from the portion of land in the possession of the Respondent No. 7 is discharged



Signature

in the sewer line adjacent to the road going towards Bhairavnath Temple. It is therefore clear that the present Respondent has taken all requisite steps for properly managing the sewage generated in the property in his possession. The visit and inspection report of 14.2.2025 is annexed herewith and marked as Annexure 'B'.

11. It is therefore prayed that the cause of action of the present application does not survive as far as the present Respondent no. 7 is concerned hence the Respondent prays that he may kindly be deleted from the array of parties.

Hence the present Affidavit. Solemnly affirmed on this the ^{28th} day of **28 APR 2025** ~~May~~ ^{April} 2025 at Pune.

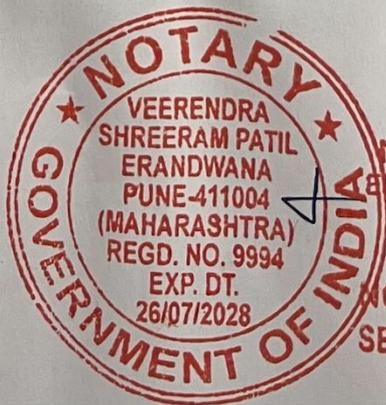


I know the Affiant

SRDangane
(Advocate)

Khasabi
Affiant

[Mr. Susenba Ramchandra Khasabi]



BEFORE ME

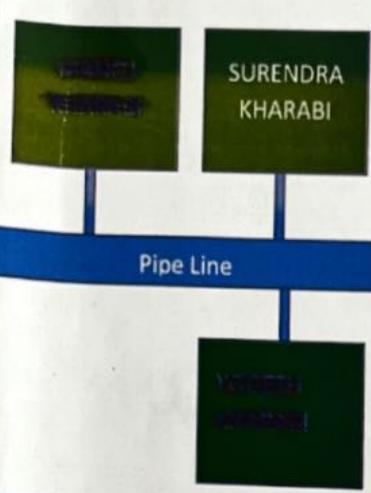
S. Patil

VEERENDRA S. PATIL
NOTARY (GOVT. OF INDIA)
ERANDWANA, PUNE (MAHARASHTRA)
REGN. No. 9994

NOTED AND REGISTERED AT
SERIAL NUMBER 280/2025

28 APR 2025

CHAKAN - TALEGAON ROAD

<p>34 R GAT NO. 378/3</p> 	<p>South ↑</p> <p>34 R GAT NO. 378/3</p> <p>NANDARAM DHONDIBA KHARABI RAJENDRA DHONDIBA KHARABI PRAMOD JALINDAR KARABI SANGITA JALINDAR KHARABI AMIT NANDARAM KHARABI RAHUL NANDARAM KHARABI</p>	<p>34 R GAT NO. 378/3</p> <p>ASHOK SADHU KHARABI SHANTARAM SADHU KHARABI HANUMANT KANTARAM KHARABI HARISH KANTARAM KHARABI</p>	<p>PETROL PUMP NITIN PATIL</p> <p>68 R GAT NO. 378/3</p>
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Wall Compound

SATYAPRAKASH B. SHARMA

204 R GAT
NO. 378/3

East



GAT NO.
378/2

West



GAT NO.
378/1

North



BHAIKAVNATH MANDIR KHARABWADI KAL

Grampanchayat Pipe Line



ग्रामपंचायत खराबवाडी



E mail@ - gpkharabwadi@gmail.com.(9222100100)

ग्रामदौलत इमारत पहिला मजला खराबवाडी, ता. खेड, जि. पुणे. पिन ४१०५०१

श्री. आर. आर. चौरे - ग्रामविकास अधिकारी

श्री. एस. बी. कारंडे - प्रशासक

ना. क्र./१३९/२०२५

दिनांक:- १४/०२/२०२५

प्रति,

श्री सुरेन्द्र रामचंद्र खराबी
रा. खराबवाडी, ता. खेड, जि. पुणे,

विषय :- खराबवाडी येथिल जमिन गट नं ३७८/३ मधिल घर मिळकती चे सांडपाणी बांधणे.
संदर्भ :- १) आपला दिनांक ०७/०२/२०२५ रोजी चा विनंती अर्ज

महोद्य,

वरिल संदर्भ क्र १ नुसार आपण ग्रा पं विनंती केलेली आहे की खराबवाडी येथिल जमिन गट नं ३७८/३ मध्ये घर मिळकती चे सांडपाणी ची विल्लेवाट कशा प्रकारे होते आहे. यांची समक्ष पहाणी करुन स्थळपहाणी करणेस बाबत विनंती केलेली आहे.

त्यानुसार ग्रा पं कार्यालया मार्फत दिनांक १४/०२/२०२५ रोजी स्थळपहाणी करणेत आलेली आहे. ती खालील प्रमाणे

अ क्र	बांधकाम मिळकत वर्णन	जमिन गट मालकाचे नाव	तपशिल
१	पुर्व मुखी दरवाजा आर सी सी बांधकाम तळमजला १०००चौ फुट पहीलामजला १०००चौ फुट असे एकुण अंदाजे २००० चौ फुट बांधकाम	श्री रामचंद्र कोंडीबा खराबी ३७८/३	सदर मिळकती सांडपाणी व्यवस्थापन हे भैरवनाथ मंदिराकडे जाणारा रस्ता लगतील गटर मध्ये सोडलेचे दिसुन येत आहे.
	पुर्व मुखी दरवाजा आर सी सी बांधकाम तळमजला १०००चौ फुट पहीलामजला १०००चौ फुट असे एकुण अंदाजे २००० चौ फुट बांधकाम	श्री रामचंद्र कोंडीबा खराबी ३७८/३	सदर मिळकती सांडपाणी व्यवस्थापन हे भैरवनाथ मंदिराकडे जाणारा रस्ता लगतील गटर मध्ये सोडलेचे दिसुन येत आहे.
३	पुर्व मुखी दरवाजा आर सी सी बांधकाम तळमजला १०००चौ फुट पहीलामजला १०००चौ फुट असे एकुण अंदाजे २००० चौ फुट बांधकाम	श्री रामचंद्र कोंडीबा खराबी ३७८/३	सदर मिळकती सांडपाणी व्यवस्थापन हे भैरवनाथ मंदिराकडे जाणारा रस्ता लगतील गटर मध्ये सोडलेचे दिसुन येत आहे.

वरिल प्रमाणे आज दिनांक १४/०२/२०२५ रोजी पहाणी केली असता सद्यस्थिती आढळुन आलेली आहे.

ग्रामविकास अधिकारी
ग्रामपंचायत खराबवाडी
ता. खेड, जि. पुणे

GRAMPANCHYAT KHARABWADIEmail- gpkharabwadi@gmail.com (9222100100)

Gram Daulat building, first floor, Kharabwadi, Tal. Khed, Dist. Pune, Pin410501

R. R. Chaure- Village Development Officer

Shri S.B Karande- Administrator

No./139/2025

Date: - 14/02/2025

To,

Shri Surendra Ramchandra Kharabi

R/a. Kharabwadi, Tal. Khed, Dist. Pune

Subject: - Regarding effluent water at Residential Properties of
Kharabwadi Gat no. 378/3

Reference: - 1) Request Application dated 07/02/2025

Sir,

As per the Reference No.1 mentioned herein above, you had requested the Gram Panchayat to conduct a site visit and inspect how the effluent water of the residential properties at Kharabwadi Gat No. 378/3 is disposed of.

Accordingly, the Gram Panchayat had conducted a Site Inspection dated 14/02/2025. The details of the same are as below.

Sr. No.	Description of Construction Property	Name of Land owner	Particulars
1.	East facing door RCC construction, 1000 Sq. ft. ground floor 1000 Sq. ft. first floor. Total construction is approximately 2000 Sq. ft	Shri. Ramchandra Kondiba Kharabi 378/3	The effluent water of the said property is disposed of into the sewage near Bhairavnath Temple road
2.	East facing door RCC construction, 1000 Sq. ft. ground floor 1000 Sq. ft. first floor.	Shri. Ramchandra Kondiba Kharabi 378/3	The effluent water of the said property is disposed of into