

BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN ZONE
BENCH AT PUNE

INTERIM APPLICATION NO. 56 OF 2024
(FOR PERJURY)

IN

ORIGINAL APPLICATION NO. 82 OF 2023 (WZ)

Abdul Samad Ismail Maknojia & 60 Ors. ..Applicants

V/s.

The State of Maharashtra & 9 Ors. ... Respondents

I, **Mr.Hayat Ahmed Asir Ahmed Ansari**, an adult, (erstwhile partner of M/s. Mass Enclave), Director of M/s. Baacha Mass Enclave Pvt. Ltd., the Respondent No. 9 abovenamed and the authorised signatory of M/s. Nirman Realtors & Developers Ltd., the Respondent No.8 above-named, having my address at Shop No.4 & 5 Ezzi Building, Shiv Shankar CHS, Barrister Nath Pai Marg, Mazagaon, Mumbai-400 010, do hereby on solemn affirmation state and declare as under:-

- 1) I say that the Respondent Nos. 8 & 9 have been served with the above-captioned Application and having read and understood the contents and being personally aware of the facts relating to the same, I am filing this Affidavit in reply to oppose the grant of any reliefs in the said Application.

2) At the outset, I state and submit that the Application seeking direction to hold an enquiry u/s.379 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 and the other consequential directions as prayed for is not only misconceived but is also vexed with malafide intents and ulterior motives on the part of the Applicants to cause undue harassment to us. I say that this Application is a part of the campaign of harassment undertaken by the Applicants which has elaborately been described in my earlier Affidavit dated 10th January 2024. A copy of the said Affidavit dated 10th January 2024 (without annexures) is annexed hereto and marked **Exhibit-'1'**.

3) At the further outset, I state and submit that it is more than apparent that after the Joint Committee appointed by this Hon'ble Tribunal as per order dated 20.3.2024, did not find any material irregularity or illegality on the part of Respondent Nos. 8 & 9, the Applicants have, out of the sheer frustration and only with a view to prejudicing the mind of this Hon'ble Tribunal and causing harassment to us, taken out the present Application. It is worthwhile to refer to **Order dated 6th November 2024** passed by this Hon'ble Tribunal in which this Hon'ble Tribunal was pleased to observe as under :-

"We have read the entire Joint Committee report to

the learned counsel for the applicants and



thereafter tried to understand from him as to out of ten points of the Joint Committee report, about which particular point, the applicants have objection instead of going through the entire objections submitted in writing on behalf of the applicants. He states that with respect to point No.5 pertaining to parking about which the Joint Committee report states that since the S.R. Scheme was submitted prior to 12.08.2009, parking requirement shall be insisted as per the provisions of Clause 36(2) Table 15 of the DCR, 1991 as per the provisions approved under Notification dated 12.06.1990, However, with respect to the proposal submitted after 12.08.2009, the parking requirement shall be insisted as per the modified clause 36(2) Table 15 of DCR, 1991 approved under Notification dated 12.08.2009. **In the case in hand, it is submitted in the Joint Committee report that Letter of Intent (LOI) of S.R. Scheme was approved on 03.08.2009 and issued on 10.08.2009 i.e. prior to 12.08.2009 and hence, as per the prevailing DCR rule, there was no requirement for providing parking spaces for Rehab Building,** in objection to this, the learned counsel for the applicants submits that the Joint Committee has wrongly mentioned inapplicable circular No.104 dated 10.11.2009 and has wrongly recorded that there is no need of parking in Rehab Building. **When we asked the learned counsel for the applicants to give the basis/evidence on which he is alleging that the Committee has**

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wrongly mentioned the inapplicable circular and wrongly recorded that there is no need of parking in Rehab Building, as according to him, the LOI of S.R. Scheme was issued on 10.08.2009, therefore, whatever sanction was made on that date, the DCR Rules applicable at that time would be applicable and not of the subsequent period, but the learned counsel could not show any evidence in that regard as to on what basis he is saying that the view taken by the Joint Committee is erroneous.

2. With respect to the other point on which objection is taken by the applicants i.e. point No.9 of the Joint Committee report Le. Socio-economic impact provision of Mandir, wherein it is recorded by the Joint Committee that per Annexure-II received from Additional Collector (Encroachment/Removal) M.S.D. (WS) dated 06.07.2007, Mandir (Jay Ambe Shiv Hanuman Mandir Trust) was not eligible. However, as per the letter dated 17.02.2021 received from Dy. Collector (Encroachment/Removal). Mandir became eligible sahshulka. Further it is mentioned that due to planning constraint, Mandir is provided in the ground floor of Sale Wing A/B.

3. To this aspect of Mandir, the applicants have raised an objection stating that as per letter dated 06.07.2007, issued by the Additional Collector (E/R) & Competent Authority, Western Suburbs, which is annexed at page 107 of the paper-book, wherewith Annexure-II is annexed which is a list



of hutment dwellers in tabular form (pages 110 to 127 of the paper-book) and at serial no.191 thereof, there is mention made of Jay Ambe Shivhanuman Mandir Trust, which is shown 'non-eligible', but subsequently by amendment by letter dated 07.02.2021, written by the Deputy Collector (Encroachment/Removal) & Competent Officer, Malad-1 addressed to the Dy. Collector (Western Suburbs), Slum Rehabilitation Authority, Bandra (East), Mumbai, which is annexed at pages 223 and 224 of the paper-book, the said temple was made eligible for paid rehabilitation. **The learned counsel for the applicants states that 'eligible for paid rehabilitation' means that cost was required to be paid to the Slum Rehabilitation Authority by the applicants, which has already been done, but there is no proof extended by the applicants with respect to payment of said cost. The learned counsel states that he may be granted time to submit the proof thereof before the next date. We direct him to submit on record before next date the proof of payment of said cost with a direction that a copy of the same shall be 4 provided to all other parties."**

The Applicants have till date not complied with any of the above directions contained in order dt. 6/11/2024. Application is ex-facie vexatious, lacks any substance and deserves to be dismissed in-limine with compensatory costs.

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4) I say that the prosecution/direction in relation to the alleged perjury is sought on the following frivolous grounds/facts:-

- (i) That in the letter dated 7th February 2024 issued by Nirman Realtors & Developers to the Society, it was mentioned that STP was installed in the month of September 2022 whereas in the Affidavit dated 10th May 2024, the Respondent No.8 has stated that the STP was constructed on or about 10th August 2022. I say that the said letter which itself uses the word "*on or about*" indicates that the date is not precise and the deponent is giving an approximate date which can admit of a variation of one month and the same cannot be said to be constituting the offence of perjury as alleged or otherwise.
- (ii) It may be mentioned here that though the STP was constructed even prior to August 2022, but because the Environment Clearance Certificate was granted on 10th August 2022, we had mentioned in our Affidavit that STP was constructed around the same time.



(iii) As regards the allegation that Baacha Mass Enclave Pvt Ltd. having been incorporated on 15th September 2022 could not have received the quotation dated 22nd November 2021, I state and submit that it is true that Baacha Mass Enclave Pvt. Ltd. was incorporated on 15th September 2022. I say that the quotation from Chandrakant Electrical and Contractor, **was obtained on 22nd December 2022 i.e. after the company was incorporated and not on "22/12/2021"** as mentioned through oversight by the Contractor. It is pertinent to note that as the STP itself was not in existence in December 2021, there was no reason for us to obtain the quotation for its yearly maintenance in December 2021. **I repeat that the said date i.e. 22nd December 2021 is a typographical error.** The year was intended to be 2022 i.e. the then on-going year 2022. I say that the said error was brought to the notice of the said Chandrakant who has confirmed the same as a typing error by giving an affidavit to that effect. Hereto annexed and marked **Exhibit-'2'** is a copy of the said Affidavit of the said Contractor. I shall crave leave to refer to and rely upon the original Affidavit being separately tendered. I say that in pursuance of the said quotation, the Work Order was given by us 3 days later i.e. 25th

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December 2022 which also appears to have been erroneously typed as 25th February 2022. The digit '1' is missing before the digit '2' and therefore the month which was meant to be of December i.e. "12" reads erroneously as the month of February. "2". As the STP was installed/commissioned only in or about August 2022, the yearly maintenance was given in December 2022 and not in December 2021.

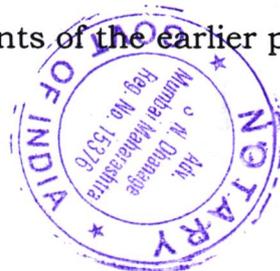
(iv) In pursuance of the said Work Order a payment of Rs.35,000/- was paid to the said Contractor for the yearly maintenance, on 11th November 2023. I say that after the said quotation, in pursuance of the negotiations, the amount arrived at and agreed with Chandrakant Electrical and Contractor was Rs,35,000/-. I shall crave leave to and refer upon the relevant Ledger Account and Bank Statement in support of the payment made to the said Contractor, when produced.

5) In view of what is stated above, I emphatically deny the allegations of "fabricated documents" or perjury made inter-alia in clause-4.5 to 4.10 of the Application under reference. I emphatically deny that we have filed a patently false Affidavit



dated 18th March 2024 or we have made any contradictory statements. I repeat that the oversight and inadvertent mistake in the dates has resulted into the said mismatch of the dates on the documents but there is no false statement or any fabrication of any documents as falsely and baselessly alleged by the Applicants. The Applicants are clearly attempting to make a mountain out of the mole hill of the typing error, which in any event have been duly explained above. I deny that we have committed perjury with the sole intention of hiding the misdeeds and illegalities as falsely and vaguely alleged. I deny that there is any malafide intention on our part to obstruct or derail the proceedings as falsely alleged. In any event, I deny that the Applicants' claim is bonafide as falsely claimed. I deny that we have caused any obstruction which can benefit us as falsely alleged. I deny we have committed any offences as mentioned in paras-4.10 to 4.12 under Bharatiya Nyaya Sanhita, 2023 as falsely and baselessly mentioned therein and deny the contents of the paras under reference and deny that the Applicants have made out any case for holding any enquiry as contemplated u/s.379 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 as falsely alleged. I further deny the contents of paras 4.13 and 4.14. I am not dealing with the contents of concluding paragraphs and prayers and deny the contents to the contrary. I say that I have not dealt with the contents of the earlier paras of

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the Application parawise but the contents thereof are denied in so far as they are inconsistent with and/or contrary to what is stated by us in the foregoing paragraphs. Nothing contained therein be deemed to have been admitted by us.

6) I repeat that inspite of various obstructions and protracted multiple litigations filed by the Applicants against us, we were able to complete the Rehab Building in June 2021 and handed over possession of the Rehab Units to the slum dwellers including the Applicants in or about June 2021 itself.

7) In continuation of what is stated in our earlier Affidavits, I repeat the entire project which started in the year 2009 or thereabouts and in respect of which Environment Clearance was granted in the year 2022 is only partly completed to the extent of Rehab Building only. I say that the Commencement Certificate in respect of the Rehab Building was issued in the year 2009 by SRA in pursuance of the first LOI dated 10th August 2009. It is pertinent to note that the revised LOI was issued from time to time in the wake of the eligibility of more and more slum dwellers in due course but the total built-up area approved for the Slum scheme remained 13542.42. sq. mtrs. Accordingly, at the time when the Rehab Building was completed and Occupation Certificate was granted on 16th June



2021, no Environment Clearance NOC was issued in respect of the project. Subsequently, however, as per the Architect's advice to include the areas relating to podium, lobby, staircase etc. which was not taken into consideration at the time of arriving at the total built-up area as mentioned in the LOI, the area of the project was treated as more than 20000 sq. mtrs. and thus we were advised to obtain Environment Clearance. Accordingly, we obtained Environment Clearance NOC on 10th August 2022.

8) In the circumstances, I submit that the **Applicants' building was thus complete admittedly prior to the issuance of the Environment Clearance Order. The Applicants were handed over their respective tenements in their building in respect of which Occupation Certificate was granted on 16th June 2021 i.e. more than one year before the Environment Clearance.** Therefore, the Applicants have no locus to file any Application based on the alleged non-compliance of any conditions which are admittedly not applicable to their building.

9) I repeat that in any event all compliances in respect of the Rehab Building have been duly made and complied with and the inspection by Respondent No.4 as also the Joint Committee appointed by this Hon'ble Tribunal confirms the same. The Sale Building is yet to be completed and all



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environment clearance requirements in respect of the Sale Building are being observed and complied with during the construction of the same.

I therefore submit that the Application be therefore dismissed with compensatory costs.

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Advocates for Respondent No. 8 & 9

For self and on behalf
of Respondent No.8

VERIFICATION

I, **Mr. Hayat Ahmed Asir Ahmed Ansari**, an adult, (erstwhile partner of M/s. Mass Enclave), Director of M/s. Baacha Mass Enclave Pvt. Ltd., the Respondent No. 9 abovenamed and the authorised signatory of M/s. Nirman Realtors & Developers Ltd., the Respondent No.8 abovenamed, having my address at Shop No.4 & 5, Ezzi Building, Shiv Shankar CHS, Barrister Nath Pai Marg, Mazagaon, Mumbai-400 010, do hereby solemnly affirm that whatever



stated in the Affidavit is true to my own knowledge and I
belief and believe the same to be true.

Solemnly affirmed at Mumbai |
Dated this _____ day of June 202 |

04 JUN 2025

Before me,

Advocates for Respondent Nos.8 & 9

BEFORE ME

Adv. S. N. Dhange
Notary Govt. of India
Regd. No. 15376, MUMBAI (MS)
404-405, 4th Floor, Davar House,
197/199, Near Central Camera Bldg.,
D. N. Road, Fort, Mumbai - 400001,
Mob.: 8788385738



NOTED & REGISTERED
Page No... 43 Sr. No... 310
Date..... 04 JUN 2025



BEFORE THE NATIONAL GREEN TRIBUNAL, WESTERN
ZONE BENCH AT PUNE

ORIGINAL APPLICATION NO. 82 OF 2023 (WZ)

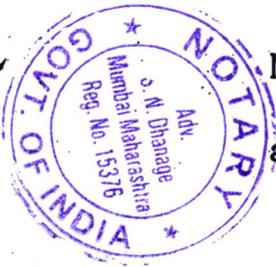
Abdul Samad Ismail Maknoja & 60 Ors. ..Applicants

V/s.

The State of Maharashtra & 9 Ors. ... Respondents

I, **Mr. Hayat Ahmed Asir Ahmed Ansari**, an adult,
(erstwhile partner of M/s. Mass Enclave), Director of M/s.
Baacha Mass Enclave Pvt. Ltd., the Respondent No. 9
abovenamed and the authorised signatory of M/s. Nirman
Realtors & Developers Ltd., the Respondent No.8 above-
named, having my address at Shop No.4 & 5 Ezzi Building,
Shiv Shankar CHS, Barrister Nath Pai Marg, Mazagaon,
Mumbai-400 010, do hereby on solemn affirmation state
and declare as under:-

- 1) The Respondent Nos. 8 & 9 have been served with the copy of the above-captioned Application but once again the Applicants **have not served us a proper copy of Application with proper pagination** inasmuch as the Amended Application served upon Respondent Nos. 8 & 9



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starts with Page-329 whereas the Index of the Application shows pages from 1 to 237. This anomaly in pagination will pose a serious difficulty for the Respondents at the time of making submissions particularly in an online hearing. In any event, being personally aware of the facts relating to the same, I am proceeding to deal with the Application particularly for the limited purpose of opposing its admission and opposing the grant of any interim reliefs. I reserve my right to file a detailed Affidavit at a later date.

2) At the outset, I submit that the Application is not only misconceived but is also vexed with malafide intents and ulterior motives on the part of the Applicants who are bunch of disgruntled slum dwellers and who have remained unsuccessful till date in stalling the work of construction on the property. The Application is an abuse of process of law resorted to by these slum dwellers who have filed the present Application once again praying for stoppage of work on the site on false, frivolous and misleading grounds. The Application be therefore dismissed with compensatory costs.

3) The Applicants/slum dwellers at the instance of their ringleader Applicant No. 1, Abdul Samad, the



purported Chairman of the Slum Society and Mamta Pathak Applicant No.5 caused repeated obstructions in the implementation of the Slum Scheme and construction of the Rehab Building since inception but had to face humiliating defeat at every step.

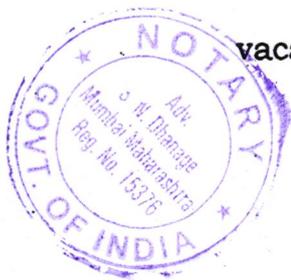
- (i) The said Mamta Pathak, Application No.5 herein had first filed a frivolous Application for change of developer against us in the year 2016 or thereabouts which came to be rejected by the learned CEO, SRA under order dated 29th March 2017.
- (ii) Thereafter, the said order was challenged by Applicant No.5 before High Power Committee and HPC allowed the Application in favour of Applicant No.5.
- (iii) Consequently, we had to file a Writ Petition in High Court being Writ Petition (L) No. 1695 of 20-17 challenging the order of High Power Committee.



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(iv) By and under Order dated 27th September 2017, the Order of High Power Committee **was reversed and set aside by Hon'ble High Court.** But Mamta Pathak alongwith other slum dwellers thereafter filed SLP against the Order dated 27th September 2017. The SLP was moved by the said Mamta Pathak being the Applicant No.5 herein on as many as 17 occasions before Hon'ble Supreme Court viz. 30/10/2017, 2/11/2017, 6/11/2017, 17/11/2017, 6/12/2017, 9/1/2018, 30/1/2018, 13/3/2018, 3/4/2018, 4/4/2018, 13/4/2018, 20/4/2018, 2/5/2018, 3/5/2018, 10/5/2018, 17/5/2018, and 2/8/2018. But each time we successfully thwarted her name and the work continued at site.

(v) About 20 to 25 slum dwellers at the instance of the Applicant No.1 Abdul Samad refused to vacate their tenements which compelled us to file proceedings u/s.33/38 of the Slum Act. In spite of the order of eviction passed on 18th June 2018, the said Abdul Samad, the Applicant No.1, once again refused to vacate his slum tenement and the said obstruction

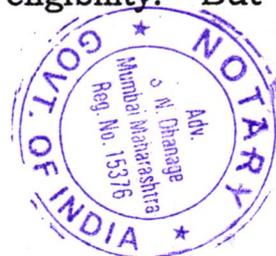


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had to be removed by resorting to prolonged protracted proceedings upto the year 2020. The refusal on the part of Applicant No.1 to vacate and remove his structure inspite of the order of eviction delayed the commissioning of electric cables and drainage line to the Rehab Building as the electric sub-station constructed at the site.

- (vi) In spite of the said obstruction and protracted and multiple litigations filed by the Applicants, the Respondent Nos. 8 & 9 were able to complete the Rehab Building in June 2021 and have now commenced construction of the Sale Building. Significantly, the slum dwellers remained unsuccessful in getting the work stopped at the site and while the matter was pending before the Hon'ble Supreme Court, we completed the building and obtained Occupancy Certificate on 16th June 2021 and handed over possession of the tenements to SRA who in turn allotted the same and placed approximately **190** slum dwellers including the Applicants in possession of their respective tenements as per their eligibility. But the

*possession
given
in June 2021*



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Applicants/slum dwellers have continued their campaign of harassment by filing the present frivolous Application before this Hon'ble Tribunal.

4) The Application before this Hon'ble Tribunal proceeds on the false premise that as if the Respondent Nos. 8 & 9 have committed breach of the conditions of the Environment Clearance granted by State Level Environment Impact Assessment Authority (SLEAA). The Applicants primarily complain of the non-provision of parking spaces, non-provision of RG, Mobile Sewage Treatment Plant, Rain Water Harvesting and Diesel Generator Set. The said grievances raised are false to the knowledge of the Applicants for the following amongst other reasons:-

(i) **Re : Parking :**

For Rehab Building being Wing-C of the composite building constructed on site, there is no requirement for providing any 4-wheeler or 2-wheeler parking spaces under the law. The Letter of Intent (LOI) issued by SRA/Planning Authority sanctioning the implementation of scheme on the subject property did not require us to provide any parking spaces for the



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Rehab Building. It is significant to note that the plan annexed at Exhibit-'K' to the Application in support of their false allegation about parking spaces itself very clearly mentions that "**Parking Space-Sale Building**". Thus, the bare reading of the plan will reveal that all the parking spaces proposed in the layout were meant for sale building only which is still under construction and is constructed only to the extent of 30% to 40%.

(ii) **Re: Recreation Garden (RG):**

As regards the allegation of non-provision of RG, it is submitted that under the sanctioned layout, we were required to provide paved RG on the North side of the property adjacent to/abutting the Rehab Building which has been duly constructed and provided to the slum society. Recently, the Applicants herein (members of the building) have converted the entire paved RG into a parking of space for parking their 2 wheelers.

As regards the other paved and physical RGs shown in the layout, the same are in respect of the Sale Buildings except a small portion on the North side of



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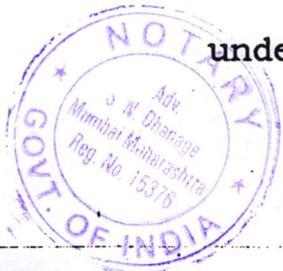
Rehab building which will be provided in due course upon the completion of work of construction of Sale Buildings namely Wing-'A' & 'B'.

(iii) **Re: Diesel Generator Set:**

It is submitted that the DG Set was not required to be provided as per the sanctioned plan. The same will be provided alongwith and after completion of the Sale building if required, inasmuch as we have already provided an alternate Power Meter which is a 3 Phase Power Meter which ensures uninterrupted electric supply, even when the power supply from the main meter is/gets switched off in any emergency circumstances.

(iv) **Re: Sewerage Treatment Plant (STP) :**

The same has been duly constructed and installed for Rehab Building. However, shockingly, the slum dwellers themselves including the Applicants are not utilising the same for disposal of waste and sewerage and/or organic waste. Upon finding the bad and unattended state of the STP and OWC, we had by and under two letters dated 1st October 2023 & 4th



December 2023, addressed to the Chairman/Secretary of the said Society, placed on record that the Society and its members are not using/utilising the STP and that they are dumping garbage on the said machine.

We further placed on record that as a result of such negligence and misuse, even the rats had cut the electric wires of the machine which rendered the same non-operational. We further reminded the society that if the machine (STP) or Organic Waste Converter is not used regularly, the same will become non-operational and non-functional. Copies of the said letters dated 1/10/2023 and 4th December 2023 duly received by the Committee Member Mr. Shantilal Khemji, of the society are hereto annexed and marked as **Exhibit-'1'** **'2'** respectively.

The said letter was followed by another letter but despite the receipt of such warning letters, the society/slum dwellers have not taken any steps to either use the said STP or OWC or keep the same under proper repair and maintenance.



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~~429~~(v) **Re: Rain Water Harvesting (RWH):**

Rain Water Harvesting has already been constructed and provided for Rehab Building.

(vi) **Re: Sanitary facilities for construction workers:**

We have provided adequate drinking water for the labourers by obtaining a BMC water pipeline which provides sufficient drinking water for workers. Similarly, we have provided sanitary facilities for the construction workers by constructing two toilets at the site. The toilets have been provided the soak-pit and therefore the sewerage and waster is not released into the Municipal Sewer line.

5) It is pertinent to note that after the filing of the present false complaint, the Respondent No.4 (Maharashtra Pollution Control Board), carried out survey of our property for the purpose of inspecting and verifying compliance and implementation of the terms and conditions of the Environment Clearance. The Respondent No.4 has given its report and uploaded the same on MPCB portal on or about 28th March 2023. The Respondent No.4 has found all the compliances on the part of Respondent Nos. 8 & 9 in order



and which clearly exposes Applicants' blatant lie. The concluding remarks inter-alia mentions that STP & OWC found installed at the site but was not found in operation which is clearly attributable to the neglect on the part of the Applicants themselves who are in-charge of the same. We repeat that the same has already been pointed out repeatedly by writing letters to the Slum Society, but to no avail. Hereto annexed and marked **Exhibit-'3'** is a copy of Report given by Respondent No.4.

6) **Re: Interim reliefs:**

As regards the interim reliefs, Interim Application No. 141 of 2023 seeking appointment of Court Commissioner, the same impermissible in law as Applicant cannot seek this Tribunal's assistance for collecting evidence. In any event, the said prayer is redundant as the Respondent No.4 has already carried out the inspection in detail and submitted its report being Exhibit-'3' hereto.

As regards the other prayers, the same are misconceived and have already been dealt with in detail in the foregoing paragraphs. In any event, the Project Management Report (PMR) as required to be uploaded half-



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yearly has been duly done by our Project Manager namely M/s. Enviro Analysts and Engineers Private Limited. Hereto annexed and marked Exhibit-4 is a copy of Project Management Report.

7) I submit that it is a matter of record and to the knowledge of the Applicants that Respondent Nos. 8 & 9 have as required of them, deposited an aggregate amount of Rs. 39,60,000/- @Rs.20,000/- per slum dweller as and by way of maintenance deposit with the office of SRA. In spite of the said amount available to the Applicants' Society, the Slum society is ill-maintaining the Rehab building and is neither operating nor maintaining the STP, OWC, Rain Water Harvesting, Diesel Generator Set and Fire-fighting equipment, leading to the same becoming non-functional and non-operational and suffering from sheer neglect of the Applicants and other slum dwellers. Applicants are therefore themselves guilty of violating the rules of Environment Protection. Hereto annexed and marked Exhibit-5 is a copy of Maintenance Deposit Receipt deposited with SRA.

8) At this juncture I am not dealing with the baseless allegations made in the Application para-wise but I



deny that same in view of the detailed report made by respondent No.4 and the compliance report uploaded by our project manager. Nothing contained in the Application unless specifically dealt with be deemed to have been admitted by Respondent Nos. 8 & 9 for want of specific traverse or otherwise at all.

9) I therefore submit that the Application be therefore dismissed with compensatory costs.

For BAACHA MASS ENCLAVE PVT. LTD.

Handwritten signature

Director

Advocates for Respondent No. 8 & 9

For self and on behalf of Respondent No.8

VERIFICATION

I, **Mr. Hayat Ahmed Asir Ahmed Ansari**, an adult, (erstwhile partner of M/s. Mass Enclave), Director of M/s. Baacha Mass Enclave Pvt. Ltd., the Respondent No. 9 abovenamed and the authorised signatory of M/s. Nirman Realtors & Developers Ltd., the Respondent No.8 abovenamed, having my address at Shop No.4 & 5, Ezzi Building, Shiv Shankar CHS, Barrister Nath Pai Marg, Mazagaon,



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Mumbai-400 010, do hereby solemnly affirm that whatever stated in the Affidavit is true to my own knowledge and I believe and believe the same to be true.

Solemnly affirmed at Mumbai

For BAACHA MASS ENCLAVE PVT. LTD.

Dated this 10 day of January 2024

Director

[Handwritten Signature]

Before me,

Advocates for Respondent Nos.8 & 9

Seen Adv. 8741 1196 4506

BEFORE ME

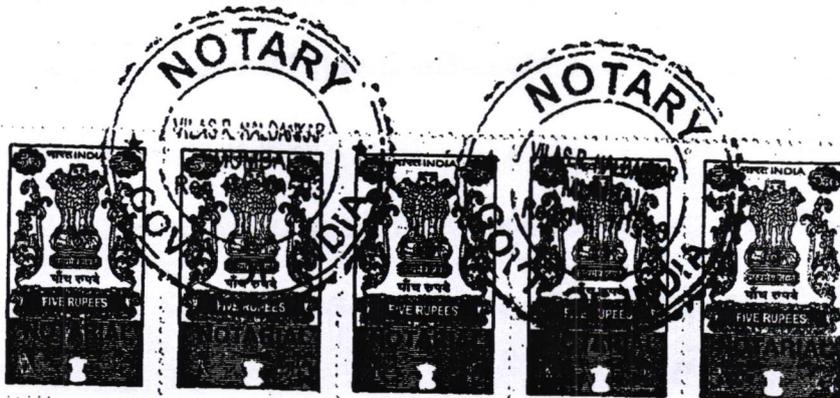
[Handwritten Signature]
10/01/2024

For BAACHA MASS ENCLAVE PVT. LTD.

Adv. VILAS R. HALDANKAR
NOTARY GOVT. OF INDIA
Haldankar Niwas, Kesharbai Compd.,
Sahar Cross Rd, Andheri (E), Mumbai-69.
Mob: 9821402304 / 8355866977



Notary Reg. No	10593
Sr. No.	167/2024
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Date	10/01/2024



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Abdul Samad Ismail Maknojia &
60 Ors. ..Applicants

V/s.

The State of Maharashtra &
9 Ors. ..Respondents



AFFIAVIT IN REPLY

Dated this 10th day of January 2024

M/s. Jhangiani, Narula & Associates,
Advocates for Respondent Nos. 8 & 9,
"Raj Mahal", Rear Entrance,
5th floor, 84- Veer Nariman Road,
Churchgate, Mumbai 400 020
Phone: 6635690/01/02/03



890

67-2

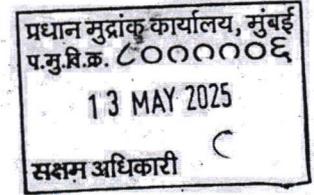
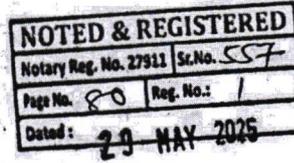
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महाराष्ट्र MAHARASHTRA

2025

DP 003502



श्रीमती सुषमा चव्हाण

AFFIDAVIT

I, **Prabhakar Chandrakant Dudhbate**, an adult, of Mumbai, Indian Inhabitant, residing at R-28, A-1, Bindra Complex, Mahakali Road, Andheri-(East), Mumbai-400 093, do hereby on solemn affirmation state and declare as under:-

- 1) I say that I am carrying on business as the Electrical and Pumps Maintenance Contractor under the name and style of Chandrakant Electrical & Contractor, as sole proprietor thereof.

1



2) I say that in or about December 2022, I was contacted by Mr. Hayat Ansari, the Director of M/s. Baacha Mass Enclave Pvt. Ltd. with an offer to take up the annual maintenance work of Sewage Treatment Plant (STP) and Organic Waste Converter (OWC) installed at their site at Shree Azad SRA CHS, Rani Sati Marg, Pathan Wadi, Malad (East), Mumbai.

3) I say that I accordingly, issued my quotation for the same on 22.12.2022. However, the year came to be erroneously mentioned as 2021 instead of the then ongoing year of 2022. I say that the said error did not come to my notice until recently when it was pointed out to me by Mr. Hayat Ansari.

4) I am, therefore, making this Affidavit to place on record that my quotation for the maintenance of STP and OWC was given on 22.12.2022 and not 22.12.2021. I say that the said year 2021 be read as corrected to '2022' in the date appearing on my quotation under reference.

5) I confirm the above contents of this Affidavit as true and binding on me and no part hereof is false.

Solemnly declared at Mumbai }
Dated this 29th day of May 2025 }

[Signature]

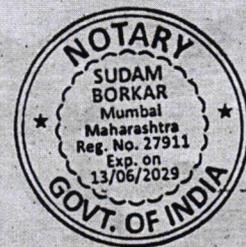
(Deponent)

Before me

Advocate, High Court

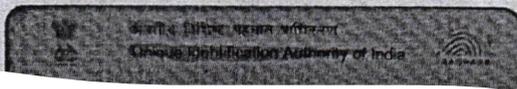
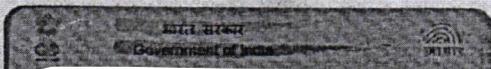
Witness: Ram Prasad Kamnig

[Signature]



BEFORE ME
[Signature]
SUDAM BORKAR
ADVOCATE & NOTARY, GOVT. OF INDIA
B-7, SHOPPER'S SPOT, DINDOSHI COURT,
GOKULDHAM, MALAD (E), MUMBAI-400097,
MOB. 9987027028

29 MAY 2025



Sudam Borkar



भारत सरकार

भारत सरकार

GOVT. OF INDIA

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Mumbai
Reg. No. 15376
INDIA

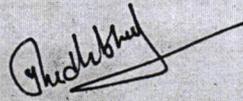
85
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(Deponent)
Before me,

Advocate, High Court

Dated this ___ day of May 2025

29 MAY 2025



AFFIDAVIT

PRABHAKAR CHANDRAKANT DUDHBHATE

3



BEFORE THE NATIONAL GREEN TRIBUNAL,
WESTERN ZONE BENCH AT PUNE

INTERIM APPLICATION NO.56 OF 2024

(FOR PERJURY)

IN

ORIGINAL APPLICATION NO. 82 OF 2023 (WZ)

Abdul Samad Ismail Maknoja &
60 Ors. ..Applicants

V/s.

The State of Maharashtra &
9 Ors. ..Respondents

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**AFFIDAVIT IN REPLY OF RESPONDENT
NOS. 8 & 9 TO INTERIM
APPLICATION FOR PERJURY**

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Dated this 04 day of June 2025

M/s. Jhangiani, Narula & Associates,
Advocates for Respondent Nos. 8 & 9,
"Raj Mahal", Rear Entrance,
5th floor, 84- Veer Nariman Road,
Churchgate, Mumbai-400 020
Phone:6635690/01/02/03

