

**BEFORE THE HON'BLE NATIONAL GREEN
TRIBUNAL, WEST ZONE AT PUNE**

Appeal no. 20/2022 (WZ)

Paul Lobo & ors.

...Appellants(s)

Versus

Goa Coastal Zone Management

Authority & ors

...Respondent(s)

SUR REJOINER OF THE RESPONDENT No.

2 sTO THE ADDITIONAL AFFIDAVIT IN

REJOINER DATED 02/04/2025 FILED BY

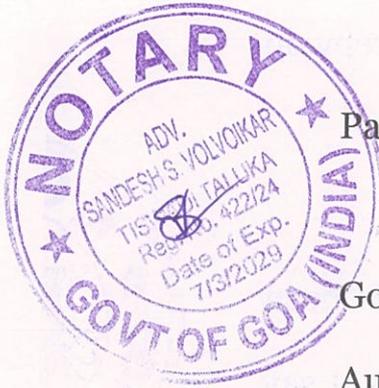
THE APPELLANT

MAY IT PLEASE YOUR LORDSHIP:

I, Mr. Manoj Kumar Mehani, son of Shri. Yash Pal Mehani, major of age, Indian National, resident of Porvorim Bardez Goa, duly authorised representative of the Respondent No. 2, being conversant with the facts of the present case, on solemn affirmation begs to state and submit as under

1. I say that I have been served on 03/04/2025 with the copy of the Additional Affidavit in rejoinder dated 02/04/2025 filed on behalf of the Appellants namely

Manoj Mehani



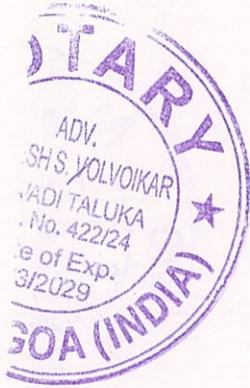
Antonio Vital Luis. I say that as there are certain averments which are contumacious and certain averments which are factually incorrect, I am advised to file this affidavit in sur rejoinder which I hereby do as under:

2. At the outset I reiterate and reaffirm what has been stated by me in my affidavit dated 15/01/2025, I say that any averments made by the Appellant in the affidavit in rejoinder which are contrary to what is stated in the affidavit dated 15/01/2025 and this affidavit and what is stated in the reply filed by this Respondent may be taken as specifically denied.
3. With regards to the contents of para 1 to 4, it is specifically denied that the Affidavit dated 15/01/2025 deserved to be discarded in its entirety as alleged. It is denied that there is nothing in the affidavit but a desperate and perverse attempt for the Respondents to avoid orders of this Hon'ble Court and avoid compliance of the law of the land as alleged. As a matter of fact, said affidavit dated 15/01/2025 was



M. Praveen Kumar

served on the Appellants on 15/01/2025, however it is with the malafide intention that the Respondent prior to the date of hearing i.e 03/04/2025 served a copy of the affidavit in rejoinder with a clear intention of precluding this Respondent from dealing with the false and contumacious averments made by the Appellants in the affidavit in rejoinder.



4. I say that as falsely claimed by the Appellant in the affidavit in reply, no additional ground are urged. As a matter of fact the contents of the affidavit are in the context of the inspection carried out by the committee appointed by this Hon'ble Tribunal who illegally relying on the CZM Plan proceeded to submit their report.

5. I most respectfully state that the impugned direction/order is passed on 03/03/2022 when admittedly the CZMP Plan was not finalised as such the attempt on the part of the Appellant to penalise and victimise the Respondent No. 2 on the basis of CZMP Plan which has not attained finality on the date of the impugned order would not arise. The

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Respondent No. 2 has raised objections to the CZMP Plan in so far as it pertains to the survey no. 134/3, said objections are still pending and is under consideration as has been clearly acknowledged by the Respondent No. 1. It is specifically denied that the Respondent No. 2 is time barred from challenging the CZMP Plan as alleged. It is stated that the entire CZMP Plan is subject to scrutiny wherein I say that the material placed on record would clearly establish that the CZMP Plan is full of anomalies and lacunas as such the question of passing any orders relying on the said CZMP Plan would not arise.



6. I say that the contents of para 5d are specifically denied. It is stated that both the inspection reports nowhere specifically depicts/state about the existence of sand dunes at site. That in both the reports the plans which are annexed admittedly are prepared on the basis of CZMP Plan. It is specifically denied that the committee members saw through their naked eyes that the sand dunes are been cut as alleged. It is a matter of record that in the year 2015 when the

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inspection was conducted by the authority no sand dunes were found at site. It is specifically denied that the sand dunes have been illegally cut by the Respondent No. 2 as alleged.



7. With regards to the contents of para 5f, the narrative sought to be advanced by the Appellant is erroneous. Nonetheless the Appellant interms has acknowledged that the errors are there in the CZMP Plan which would itself warrant dismissal of the Appeal filed by the Appellant. I say and submit that the boundaries of the properties situated in the village of Cavalossim as depicted in the CZMP Plan is not tallying with the survey plan prepared by the Directorate of Settlement and Land Records hence the contents of para 5f & 5g are factually incorrect and are specifically denied.

8. With regards to the contents of para 7, it is specifically denied that there is collusion between the Respondent authorities, particularly the Respondent GCZMA and the Respondent No. 2 in relation to the present project as alleged. It is stated denied that the allegations made in para 7 are contumacious and without any base on

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the contrary it is most respectfully submitted that the Respondent authority relying upon a plan which is factually defective has passed the impugned orders at the instance of the Appellant. That the contents of the additional affidavit in rejoinder filed by the Appellant dated 02/04/2025 which are not specifically admitted and which are contrary to what is stated herein above may be taken as denied.

9. I say that the contents of above paras of the present affidavit are true to my knowledge and records which are true and correct.

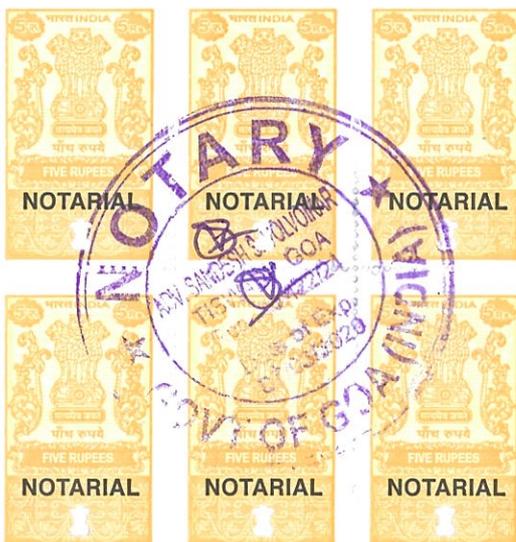
Mansoj Mchaw

Place: Panaji, Goa

RESPONDENT NO. 2

Date: 10/04/2025

SOLEMNLY AFFIRMED AND VERIFIED
BEFORE / ME BY Mr. Mansoj Mchaw
WHO IS IDENTIFIED BEFORE/ME
BY Adhar Card no. 5572 346 8583
WHOM I KNOW
SERIAL NO. 302 DATED 10/04/2025



Sandesh S. Volvoikar
10/04/2025
SANDESH S. VOLVOIKAR
ADOCATE & NOTARY AT TISWADI TALUKA
AT PANAJI
STATE OF GOA (INDIA)