



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

INTERIM APPLICATION NO. ____/2024 (WZ)

IN

APPEAL NO. 149/2024 (WZ)

Mr. Fidales Paulo D'souza ...Applicant

Versus

Goa Coastal Zone
Management Authority ...Respondent

AFFIDAVIT-IN-REPLY ON BEHALF OF
RESPONDENT (GCZMA)

I, Shri Johnson Bedy Fernandes, major of age, holding the post of Member Secretary, Goa Coastal Zone Management Authority ("**GCZMA**") i.e., Respondent No 2 herein, having office at 4th Floor Dempo Towers, Patto, Panaji, Goa, do hereby make solemn affirmation and state as under:-



1. I say that I am holding the post of Member Secretary, Goa Coastal Zone Management Authority (“GCZMA”). I say that I am filing the present affidavit based on the records available with my office and that I am competent to depose in this case.

2. I say that I am filing the present Affidavit-in-Reply for the purpose of opposing the application of condonation of delay. Nothing in the aforementioned Appeal or the Application filed by the Appellant/Applicant may be deemed to have been admitted for mere want of specific denial. Nothing may be deemed to have been admitted for want of *traverse seriatim*. I crave leave of this Hon’ble Tribunal to file an additional detailed Affidavit, if found necessary.

3. I say that *vide* said Order dated 29.12.2023 the Respondent had directed the Applicant herein to demolish “2 nos RCC frame structure (G+1), 2 nos



masonry structure with Mangalore tiles roofing, 1 no masonry structure with slab (GF), masonry compound wall on all sides alongwith steps, 1 no masonry toilet block,” located in property bearing Survey No. 73/74 of Anujna Village, Bardez, Goa and further to restore the land to its original condition within 30 days from the date of receipt of the said Order.

4. I say that the Applicant has filed an appeal bearing No. 149 of 2024 before this Hon'ble Tribunal challenging the Order dated 29.12.2023 passed by the Respondent i.e, GCZMA. I say that the said Appeal was filed on 15.05.2024.

5. I say that as per Section 16 of the National Green Tribunal Act 2010, the Appellant has to prefer an appeal within 30 days from the date the order dated 29.12.2023 was communicated to him. I say that the

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[Faint stamp and signature in the top right corner]

Appellant had to file the present appeal within a period of 30 days from 16.01.2024 i.e., before 15.02.2024.

6. I say that the Appellant has filed the present appeal on 15.05.2024. I say that there is a delay of 90 days to file the present appeal.

7. I say that Section 16 of the National Green Tribunal Act 2010 provides that this Hon'ble Tribunal may condone delay for preferring an appeal for a period not exceeding 60 days.

8. I say that in view of the above, the present application for condonation of delay is liable to be rejected and consequently the present appeal is liable to be dismissed.

9. I say that what has been stated in Paras 1 to 10 are true to my own knowledge and/or are based on

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documents/records available with the Respondent and the contents of the same are true and correct and nothing material has been concealed herein.

Solemnly Affirm on Oath

Place: Panaji, Goa.

Date: 03.09.2024

[Signature]
DEPONENT

Identified by:



Solemnly affirmed before me
Johnson Bedy Fernandes
Who is identified before me by

At Panjim - Goa
Sr. No. 123/09/2024
Date. 11/09/2024

[Signature]
Venefrada C.P.P.B Gracias
Advocate & Notary Goa State