

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

[Through Physical Hearing (with Hybrid Option)]

**APPEAL NO.07 OF 2023 (WZ)  
WITH  
I.A. NO.56/2023(WZ) IN APPEAL NO.07/2023 (WZ)**

The Colva Civic & Consumer Forum

.... Appellant

Versus

GCZMA & Ors.

.... Respondents

Date of hearing : 07.12.2023

**CORAM: HON'BLE MR. JUSTICE DINESH KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. VIJAY KULKARNI, EXPERT MEMBER**

Appellant : Ms. Judith Almeda – Appellant-in-person

Respondents : Ms. Manasi Joshi, Advocate for R-1 and R-2  
Mr. Abhijit Gosavi, Advocate with Mr. Shivshankar  
Swaminathan, Advocate for R-3

**ORDER**

1. From the side of respondent No.3 – Project Proponent, learned counsel Mr. Abhijit Gosavi has appeared and states that all the permissions were taken regarding those structures/construction regarding which discharge order has been passed by respondent No.1 – GCZMA. These structures include five cottages of Ground + 1, the restaurant, S.T.P., Generator Shed and the swimming pool. He has taken us through the approvals granted with respect to these structures, which are annexed at pages 209 to 230 as well as page 54 of the paper-book.

2. From the side of respondent No.1 – GCZMA, learned counsel Ms. Manasi Joshi has appeared and says that she is relying on the impugned order and has not filed separate reply-affidavit.

3. We have heard the arguments of the appellant for more than half an hour and tried to understand from her as to whether the structures which have been demolished being illegal and which are the structures which are stated to have been built in accordance with the approvals. Our attention was drawn to page 47 of the paper-book, which is a too small map, by which we are not able to identify these properties. Therefore, we direct the appellant to place before us bigger map in which these properties, stated by us above, are demarcated and the survey numbers are also recorded therein. These properties are stated to fall in CRZ-III area.

4. Thereafter, we also tried to understand from the learned counsel for respondent No.1 – GCZMA as to on the basis of which documents/record, the impugned order has been passed. She tried to take us through pages No.30 onwards of the paper-book, which states in para 1 that swimming pool has got approval dated 23.06.1994, but we do not find the document annexed from the side of respondent No.1 in that regard. She submits that she may be granted time to file an affidavit in that respect. We grant her four weeks' time to file the same wherewith all the documents on the basis of which the impugned order has been passed, shall be annexed serially so that this Tribunal would have better understanding of the dispute involved.

5. The appellant prays that she may be allowed to file the written arguments. The same may be filed before the next date.

6. Put up this matter for next consideration on 20.02.2024.

**Dinesh Kumar Singh, JM**

**Dr. Vijay Kulkarni, EM**

December 07, 2023  
Appeal No.07/2023(WZ)  
npj