

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2566 OF 2018

Jaywant Industrial Premises Co-operative
Society Ltd. and anr.

.. Petitioners

Vs.

State of Maharashtra and ors.

.. Respondents

Mr.Milind Sathe, Senior Counsel a/w Mr.Bhushan Deshmukh,
Ms.Bindi Dave, Mr.Raghav Gupta & Mr.Kashish Mainkar I/b
Wadia Ghandy & Co., for the Petitioners.

Mr. A.L. Patki, Addl. GP for State for Respondents No. 1 & 3.

Mr.A.R.Varma a/w Mr.Parag A. Vyas, for Union of India –
Respondents No. 2, 4 & 7.

Ms.Sharmila Deshmukh, for Respondent No.4.

Mr.H.C. Pimple, for MCGM – Respondent No. 5.

**CORAM : NARESH H. PATIL, CHIEF JUSTICE &
M.S.KARNIK, J.**

DATE : 12th DECEMBER, 2018

P.C. :

. Learned Senior Counsel appearing for the Petitioners
submits that the final Coastal Zone Management Plan, 2018
("2018 CZMP") has been published on 20th October, 2018. He
submits that despite the Petitioners's objections/suggestions

made to the draft plan, the water body at Haji Ali has not been classified as a 'bay' in the 2018 CZMP. He seeks liberty to approach the Maharashtra Coastal Zone Management Authority ("MCZMA") in accordance with the Coastal Regulation Zone Notification, 2011 for rectification of the 2018 CZMP.

2. The Petitioners may approach MCZMA raising all contentions before the MCZMA including its contention that classification/ non-classification of tidal influenced water bodies cannot be done merely on the basis of maps prepared by the Naval Hydrographic Office and on that basis the water body at Haji Ali is required to be classified as a 'bay' in the 2018 CZMP.

3. We make it clear that we are not expressing any view on the merits of the matter.

4. The MCZMA to decide the Petitioners's application for rectification of the 2018 CZMP in accordance with law.

5. Writ Petition is accordingly disposed of. No order as to costs.

(M.S.KARNIK, J.)

(CHIEF JUSTICE)