

VRJ

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

PUBLIC INTEREST LITIGATION NO.22 OF 2024

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Zoru Darayus Bhathena ... Petitioner

V/s.

Maharashtra State Road
Development Corporation & Ors. ... Respondents

WITH

PUBLIC INTEREST LITIGATION (L) NO.8224 OF 2024

Bandra Reclamation Area Volunteers
Organization ... Petitioner

V/s.

Union of India through the Secretary
of Ministry & Ors. ... Respondents

Mr. Tushad Kakalia i/by Pushpa Thappar for the
petitioner in PIL/22/2024.

Ms. Ronita Bector with Taiyaba Kazi i/by Mr. Amar
Gharte for the petitioner in PIL(L)/8224/2024

Dr. Milind Sathe, Senior Advocate with Mr. Bhushan
Deshmukh, Ms. Ravleen Sabharwal, Ms. Aarushi
Yadav and Ms. Anushka Sharma and Mr. Jay Gala
for respondent No.1 (MSRDC) in both PIL Petitions.

Ms. Jaya Bagwe for respondent No.2 (MCZMA) in
PIL/22/2024 and for respondent No.4 in
PIL(L)/8224/2024.

Mr. Milind More, Additional Government Pleader for
respondent No.3 – State in PIL/22/2024.

Mr. Devang Vyas, Additional Solicitor General with
Ms. Savita Ganoo, Ms. Carina Xavier, Ms. Sheelang
Shah, Ms. Vaibhavi Chaudhary, Jalaj Prakash and
Karen Xavier for respondent No.4 in PIL/22/2024.

Ms. Oorja Dhond i/by Ms. Komal Punjabi for
respondent No.5 – B.M.C. in PIL/22/2024.

Mr. Zal Andhyarujina with Mr. Karan Bhide, Ms. Rati

Patni, Ms. Kathleen Lobo and Mr. Vikrant Dere i/by Wadia Ghandy & Co. for respondent No.6 in PIL/22/2024 and for respondent No.5 in PIL(L)/8224/2024.

Mr. Devang Vyas, Additional Solicitor General with Ms. Shehnaz V. Bharucha for respondent No.1 – UoI in PIL(L)/8224/2024.

Mr. Milind V. More, Additional Government Pleader for the State–respondent No.2 in PIL(L)/8224/2024.

**CORAM : DEVENDRA KUMAR UPADHYAYA, CJ &
AMIT BORKAR, J.**

DATED : OCTOBER 24, 2024

P.C.:

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- 1.** Affidavit-in-reply filed today on behalf of respondent No.1 is taken on record.
- 2.** On our request, Mr. Devang Vyas, learned Additional Solicitor General appears for respondent No.4, and stated that affidavit-in-reply on behalf of respondent No.4 shall also be filed within a short span of time as certain instructions have been received.
- 3.** Accordingly, we direct that respondent Nos.2 to 6 shall file their affidavits-in-reply, if any, by 20 November 2024, rejoinder-affidavit to which, if any, may be filed by the petitioner by 4 December 2024.

4. It has been informed by Dr. Milind Sathe, learned Senior Advocate representing respondent No.1, that the environmental clearance under the notification dated 14 September 2006, issued by the Ministry of Environment, Forest and Climate Change, shall be required by the project proponent which is likely to take some time.

5. Mr. Zal Andhyarujina, learned Senior Advocate representing respondent No.6, has stated that the said permission is required, however, appropriate application shall be made seeking the environmental clearance before the appropriate authority.

6. Stand over to **11 December 2024**. To be placed **High on Board**.

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7. Affidavit-in-reply filed on behalf of respondent No.3 is taken on record.

8. Let affidavit on behalf of other respondents be also filed by the 20 November 2024, rejoinder-affidavit to which, if any, may be filed by 4 December 2024.

9. Stand over to **11 December 2024**. To be placed **High on Board**.

(AMIT BORKAR, J.)

(CHIEF JUSTICE)