

VRJ

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

**INTERIM APPLICATION NO.1776 OF 2024
IN
WRIT PETITION NO.3082 OF 2024**

VAIBHAV
RAMESH
JADHAV

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Date: 2024.10.22
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Shiv Shakti Welfare Association ... Applicant

V/s.

State of Maharashtra,
Through Principal Secretary,
Maharashtra & Ors. ... Respondents

Mr. Lalit Doshi i/by Doshi & Co. for the applicant.

Mr. Abhay L. Patki, Additional Government Pleader
for the State – respondent Nos.1 and 2.

Mr. Jaya Bagwe for respondent No.3 (MCZMA).

Ms. Oorja Dhond i/by Ms. Komal Punjabi for
respondent No.4 (BMC).

Mr. Y. R. Mishra with Mr. Upendra Lokegaonkar for
respondent No.5.

Mr. Satish Kamat for respondent No.6.

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

DATED : OCTOBER 21, 2024

P.C.:

1. The affidavit-in-reply filed by respondent No.6 today is taken on record.

2. On 24 June 2024, we have passed the detail order directing the survey and demarcation of the area to

distinguish the area falling within and outside the prohibited area. An affidavit has been filed by the Divisional Forest Officer stating therein that for various reasons demarcation is not easy and not possible. The affidavit-in-reply has been filed on behalf of the Maharashtra Coastal Zone Management Authority, according to which, the entire area does not fall within the prohibited zone.

3. However, in the order dated 22 February 2024, passed by the Divisional Forest Officer concerned, it has been mentioned that the area is partly coming under the mangroves and that there were some mangroves as on 31 December 2005 and currently there are no mangroves on site.

4. In the aforesaid circumstances, we direct that a meeting between the Divisional Forest Officer concerned and the appropriate officer of MCZMA shall be held within two weeks to consider and decide finally as to whether the area in respect of which electricity connection is being sought falls within the prohibited zone or not and further as to whether such area falls partially in prohibited zone and partially outside prohibited zone. On the basis of said consideration to be made in the meeting between the Divisional Forest Officer concerned and the Authorities of the MCZMA, minutes of the said meeting along with requisite documents shall be produced before the Court on the next date of listing.

5. Stand over to **14 November 2024**. To be placed **High on Board**.

(AMIT BORKAR, J.)

(CHIEF JUSTICE)