

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 54 OF 2025

Laura Dsouza & Ors.

.. Petitioners

Versus

The State of Maharashtra

.. Respondent

Through The Principal Secretary, Department of Ports
and Transport

.....

Mrs. Anita Castellino a/w. Mr. Abhijeet Desai, Ms. Mohini Rehpade, Mr. Vijay Singh, Mr. Digvijay Kachare, Mr. Karan Gajra and Ms. Daksha Punghera for the Petitioners.

Mrs. Neha S. Bhide, GP a/w. Mr. O. A. Chandurkar, Addl. GP and Mrs. G. R. Raghuwanshi, AGP for Respondent Nos.1 & 6.

Dr. Birendra Saraf, Senior Advocate a/w. Mr. Jay Sanklecha, Mr. Ishwar Nankani, Mr. Huzefa Khokhawala and Mr. Karan Parmar i/b M/s. Nankani & Associates for Respondent No.2.

Mr. Milind Sathe, Senior Advocate a/w. Mr. Gaurav Shrivastava and Mr. Aditya Mhase i/b Ms. Jaya Bagwe for Respondent No.3 (MCZMA).

Mr. Santosh Modi for Respondent No.5-BMC.

Mr. Umesh Shetty, Senior Advocate a/w. Sharilha D'souza i/b Flavia Legal for Respondent No.7.

CORAM : ALOK ARADHE, CJ AND

M. S. KARNIK, J.

DATED : 7th MAY, 2025.

P.C. :

1. Learned Advocate General has invited the the attention of this Court to para 1 of the Public Interest Litigation which reads as under: -

“1. The Petitioners, being residents of Mumbai, are filing this Public Interest Litigation (PIL) under Article 226 of the Constitution

of India challenging the proposed construction of a massive “Passenger Jetty and Terminal Facilities” project in the sea (on stilts) from the sea face/promenade abutting the iconic Gateway of India. The Petitioners collectively represents over 150 residents, business owners, and regular visitors of Colaba who will be directly and adversely affected by the proposed development.”

2. It is, therefore, contended that the petitioners are aggrieved persons and cannot maintain this Writ Petition as Public Interest Litigation.

3. In view of the aforesaid submission, Mrs. Anita Castellino, learned counsel submits that she be granted liberty to convert this Public Interest Litigation into Writ Petition and to file it on the Original Side. It is further submitted that the matter requires immediate consideration, therefore, the same be listed for orders tomorrow.

4. In view of the aforesaid submission, learned counsel for the petitioners is granted liberty to convert this Public Interest Litigation into Writ Petition and to file it on the Original Side.

5. Let the same be listed for orders tomorrow on **08.05.2025**.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)