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

PUBLIC INTEREST LITIGATION NO. 38 OF 2024

Zoru Darayus Bhatena

... Petitioner

V/s.

Municipal Corporation of Greater Mumbai

... Respondent

Ms. Rohita Bhattacharya Bector i/b. Ms. Pushpa Thapa for the Petitioner
Ms. Oorja Dhond i/b. Ms. Komal R. Punjabi for Respondent - MCGM

**CORAM : ALOK ARADHE, CJ. AND
SANDEEP V. MARNE, J.**

DATE : 01 AUGUST 2025

P.C. :

1. In this Public Interest Litigation, the Petitioner, *inter-alia*, seeks a direction to MCGM to conserve rain water and protect, preserve and enhance the natural ground water in Mumbai.

2. The learned Counsel for the Respondent – MCGM submits that rain water harvesting has been made mandatory in respect of plots having area in excess of 1000 sq.mtrs. and as per DCPR 2034 from 8 May 2019 onwards, the condition is binding to all developments having plot area 500 sq.mtrs. It is further submitted that the aforesaid condition is already incorporated in all I.O.Ds.

4. In view of aforesaid submissions, the learned Counsel for the Petitioner submits that the Petitioner is ready and willing to submit his suggestions to the MCGM to prepare a comprehensive plan to conserve rain water harvesting plant to protect and enhance the natural ground water in Mumbai.

5. The learned Counsel for the MCGM submits that in case the Petitioner submits such a proposal, the same shall be considered.

6. In view of aforesaid submission and in the facts and circumstances of the case, the Petitioner is granted the liberty to submit a representation within a period of two weeks to the Deputy Commissioner (Environment) of MCGM. The Deputy Commissioner shall afford an opportunity of hearing to the Petitioner and thereafter, shall take into account the suggestions which may be made by the Petitioner while making a plan to conserve rain water and to preserve, protect and enhance the natural ground water in Mumbai.

7. Accordingly, the Public Interest Litigation is disposed of.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)