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

WRIT PETITION NO. 2610 OF 2025

Mumbai Metropolitan Region
Development Authority

.. Petitioner

Versus

Union of India & Ors.

.. Respondents

Mr. Akshay Shinde for petitioner.

Ms. Jaya Bagwe for respondent no.2 – MCZMA.

Mr. Vishal Thadani, Addl. Govt. Pleader for respondent nos. 3
and 4 – State.

Mr. Aditya Mehta with Ms. Deepali Bagla i/by Bagla &
Associates for respondent no.5.

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

DATE: 25th AUGUST, 2025

ORAL ORDER [Per Chief Justice]:

1. Rule. Rule is made returnable forthwith. With the consent of the learned counsel for the parties, heard finally.

2. In this writ petition, the petitioner, *inter alia*, seeks a direction to permit the petitioner to commence and execute the proposed construction of Metro Line-6 in the light of directions contained in the order dated 17th September, 2018 passed by a Division Bench of this Court in Public Interest Litigation No. 87 of 2006.

3. Facts giving rise to filing of the instant writ petition, in nutshell, are that petitioner, namely, Mumbai Metropolitan Region Development Authority, was appointed as Project

Proponent of Metro Line-6 project (hereinafter referred to as "the subject project"). The petitioner submitted an application to Maharashtra Coastal Zone Management Authority (MCZMA) seeking approval of CRZ clearance subject to compliance with the conditions mentioned therein. The MCZMA, vide communication dated 19th October, 2016 granted permission subject to the conditions mentioned therein. The State Environment Impact Assessment Authority, Maharashtra (SEIAA), on 28th November, 2019, granted CRZ clearance to the subject project.

4. Thereafter, the Ministry of Environment, Forest & Climate Change (hereinafter referred to as "the MoEF & CC") conveyed the proposal on 29th September, 2021 to the Member Secretary, MCZMA, for approval of coastal zone management plans for Mumbai City and Mumbai Suburban District in the State of Maharashtra as per CRZ Notification-2019. Clause 4 of the aforesaid communication provides that all proposals in Mumbai City and Mumbai Suburban received henceforth for CRZ Clearance shall be considered as per CRZ Notification of the year 2019.

5. The petitioner, thereafter, on 22nd April, 2024 submitted an application seeking forest clearance. The Additional Principal Chief Conservator of Forests, Mangrove Cell, Mumbai on 15th April, 2025 has granted the approval to the subject project of the petitioner. The MoEF & CC, on 25th May, 2025, has granted in-principle approval for diversion of forest mangroves area. The petitioner has also paid the requisite amount on 4th July, 2025 for implementation of the Compensatory Afforestation Scheme.

6. Learned counsel for the petitioner submits that the subject project is being executed in public interest and to provide a transport facilities. It is pointed out that Metro Line-6 is being constructed with total length of 15.31 Kms. which will run from Swami Samarth Nagar to Vikhroli (EEH) having total 13 stations. It is also pointed out that during the execution of the subject project, 34 non-mangrove trees are going to be affected and the same would require diversion of 0.1798 hectare forest land. It is also pointed out that State has identified 0.10 hectare degraded forest land for compensatory afforestation scheme from Survey No. 295/3185 of village Manori, Borivali and Mumbai Suburban towards the said diversion. It is also pointed out that petitioner has already deposited sum of Rs. 4,21,388/- on 4th July, 2025 with the forest department for plantation.

7. Learned counsel for the respondents have submitted that since the statutory approvals have been granted to the subject project of the petitioner, they do not oppose the grant of approval to the subject project.

8. We have considered the rival submissions on both sides and have perused the record.

9. The subject project has been conceived in public interest and with a view to provide a transport facilities to the public in general. All the expert bodies have considered the desirability and have granted approvals to proceed with the project. The MCZMA, the MoEF & CC as well as the Forest Department of the State Government have granted approval and the execution of the subject project does not require felling of mangroves. The petitioner has to implement compensatory

afforestation and has deposited the requisite charges with the Forest Department.

10. In the result, Rule is made absolute in terms of prayer clause (b) of the writ petition, which is reproduced hereunder, subject to the condition that the responsible office of the petitioner shall file an undertaking before this Court within a period of two weeks stating that the petitioner shall strictly ensure compliance of the conditions which are imposed in the permissions secured by it from various authorities:

*"(b) To issue a Writ of Mandamus or any other appropriate writ or order or direction in the nature of mandamus under Article 226 of the Constitution of India, thereby directing the Respondent authorities to permit the Petitioner to commence and execute the proposed construction of Metro Line-6 and grant leave as contemplated in condition imposed by the MCZMA as recorded in minutes of 119th meeting held on 28th to 30th June, 2017 (**Exhibit-B**) and condition imposed in CRZ clearance imposed by the SEIAA letter dated 28/11/2019 (**Exhibit-D**), and condition no.1.7 imposed by the Forest Authority in letter dated 25/05/2025 (**Exhibit-I**) in view of the public importance of the project."*

11. Accordingly, the writ petition is disposed of.

(SANDEEP V. MARNE, J.)

(CHIEF JUSTICE)