

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 789 OF 2026

Eversmile Properties Pvt Ltd anr .. Petitioners

Versus

The Union of India Thr Ministry of .. Respondents
Environment Forest and Climate Change
and Ors.

...

Mr. Virag Tulzapurkar, Senior Advocate, a/w Adv. S Shukla, Adv. Shivani Khanwilkar, Adv. Abhishek Kothari, Adv. Vaibhavi Bhalerao, Adv. Suneet J, Adv. Makarand Savant i/b Trilegal for the petitioners.
Adv. N.R. Bubna a/w Adv. Pooja Malik, for respondent no.1.
Mrs. M.P. Thakur, for respondent no.2.
Adv. Jaya Bagwe for the respondent no.3 (MCZMA).

CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.
DATED : 19th JANUARY, 2026

P.C:-

1. The Writ Petition seeks direction for quashing and setting aside the decision taken in the meeting of the MCZMA held on 11/12/2024 . The learned senior counsel Mr. Tulzapurkar, by inviting our attention to the notification issued by the Ministry of Environment, Forest and Climate Change dated 18/01/2019, would submit that as far as the mangroves in private land are concerned, in the wake of the said notification, they do not require a buffer zone and therefore the decision taken is contrary to the aforesaid notification.

2. The learned counsel for the MCZMA seeks two weeks' time to obtain necessary instructions and, if required, to file an affidavit dealing with the contention raised in the petition.

Let the affidavit in reply be filed on or before 5/02/2026, with an advance copy being served upon the petitioners. Re-notify to 11/02/2026 on Supplementary Board.

(MANJUSHA DESHPANDE)

(BHARATI DANGRE, J.)