



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

PUBLIC INTEREST LITIGATION NO.40 OF 2026

ANASUYA VINOD CHABRANI AND ANOTHER

VS

STATE OF MAHARASHTRA, (THR. SECRETARY), URBAN DEVELOPMENT DEPT.,
MUMBAI AND ORS.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. K.S. Agrawal, Advocate for the petitioner/s
Mr.N.S. Rao, AGP for the respondent No.1/State
Mr. J.B. Kasat, Advocate for the respondent Nos.2 to 6/Corporation

CORAM : **ANIL S. KILOR AND RAJ D. WAKODE, JJ.**

DATE : **10.06.2026**

1. Heard.

2. The petitioners have approached this Court by filing the present Public Interest Litigation (PIL) with following prayers:

A. To quash and set aside the Public Hearing Notices dated 27.05.2026 for advertisement bearing No. 65/PR and 116/PR scheduling hearings on 02.06.2026, and direct the respondent No. 2/NMC to postpone the hearings by at least three weeks or until the severe heatwave conditions subside (Annexure-A);

B. To direct the respondent No.2/NMC to reschedule the public hearings at a reasonable date and time,

C. To direct the respondent No. 2/NMC to legally constitute a proper Tree Authority Committee as per the mandate of Sections 3 and 4 of the Maharashtra (Urban Areas) Protection and Preservation of Trees Act, 1975, before processing any further applications for tree felling;

D. To direct the respondents to strictly comply with Section 8 of the Act of 1975 by publishing complete details, including alternate designs tree girth, age, and

compensatory plantation lands, before conducting any fresh public hearings;

E. Pending the hearing and final disposal of this petition, grant an ad-interim stay on the operation and execution of the public hearings scheduled on 02.06.2026 at 12:30 PM and 1:00 PM vide notices dated 27.05.2026;

F. ... ”

3. As far as the prayer clauses (A) and (B) are concerned, both the prayers do not survive in view of the order passed by this Court on 30.05.2026.

4. As regards prayer clauses (C), (D) and (E), the learned counsel for the petitioners has drawn our attention to the recent judgment of the Co-ordinate Bench at Principal Seat, in the case of *Abhijeet Mohan Anturkar Vs. Tree Authority Department and others*, reported in **2026 SCC OnLine Bom 966**, wherein this Court has observed that it is necessary to provide details for submitting objections by the persons who are interested to raise such objections, to the proposed felling of trees. It is observed that the persons who want to raise objections necessarily must be aware of the location of trees, the reason why the trees are sought to be felled, and at whose instance.

5. In this PIL, the public notices dated 13.05.2026 and 23.04.2026, page 41 and 42 respectively, are under challenge.

6. As far as the public notice dated 13.05.2026, (page

41) is concerned, which relates to the Sahakar Nagar Ghat to Mulik Complex, the details and the purpose of cutting of such trees are given.

7. Whereas, in the notice dated 23.04.2026 is concerned, there is a mention of trees to be cut. The reason given is for development work.

8. However, there are no necessary details given about what type of development the authorities want to carry out on the said land.

9. In the above referred backdrop, considering the judgment of the Co-ordinate Bench of this Court in the case of *Abhijeet Mohan Anturkar* (supra), we are of the opinion that the purpose would be served, if the respondent-Corporation is directed to provide information, if any, sought by the petitioners relating to the above referred public notices, to have clarity to them.

10. The Corporation shall make such information available to the petitioners within three days from the date of making of such request in writing by the petitioners.

11. However, the documents which cannot be provided, the Corporation shall provide inspection of such documents to the petitioners within a time period mentioned for providing the information.

12. After providing such information and inspection, the Corporation shall give Seven days time to the petitioners to submit their objections, if any, and after the lapse of the

said period, the Tree Authority can hold hearing on the objections, if any, and decide the same.

13. The learned counsel for the petitioners argues that the constitution of Tree Authority is itself faulty. At this stage, we do not want to go into this issue. However, we allow the petitioners to raise such objections, if they so desire, while submitting the objections to the public notices referred herein above.

14. Accordingly, we pass the following order:

- i) The Public Interest Litigation is **disposed of** with permission to the petitioners to apply for additional information, if any, they want for clarity relating to the public notices dated 13.05.2026 and 23.04.2026, within one week from today.
- ii) On receipt of such request, the Corporation shall provide information as sought by the petitioners within three days, and in case a request is made for inspection of certain record, the Corporation shall give inspection of such record to the petitioners within a time period mentioned for providing the information i.e. within 3 days from making of such request.
- iii) The Corporation is at liberty to give notices of inspection to the petitioners on their WhatsApp numbers, which the learned counsel for the petitioners shall supply to the learned counsel for the

Corporation today itself.

iv) The Corporation shall also, in addition to the notices to the petitioners, give notice to the learned counsel for the petitioners on his WhatsApp number.

v) After providing such information and inspection, if the petitioners want to raise objections, including objections to the constitution of Tree Authority, they may do so, within one week from the date of supply of information or inspection of the record.

vi) The Corporation shall also provide the aforesaid information and inspection of the relevant record to any other interested person desirous of raising objections pursuant to the aforesaid public notices with the same time schedule as provided for the petitioners.

vii) After submission of the objections, if any, the Tree Authority may proceed in the matter to hear the objections, if any, and decide the same.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)