

ITEM NO.21

COURT NO.4

SECTION IX

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

Petition(s) for Special Leave to Appeal (C) No(s). 27183/2019

(Arising out of impugned final judgment and order dated 20-09-2019 in WP No. 1534/2019 passed by the High Court Of Judicature At Bombay)

MAHARASHTRA COASTAL ZONE MANAGEMENT AUTHORITY

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

IA No. 71446/2020 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 18968/2020 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 94578/2022 - APPROPRIATE ORDERS/DIRECTIONS  
 IA No. 174273/2019 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT  
 IA No. 71447/2020 - EXEMPTION FROM PAYING COURT FEE  
 IA No. 71444/2020 - INTERVENTION APPLICATION  
 IA No. 61963/2020 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES  
 IA No. 98830/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES  
 IA No. 7019/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES  
 IA No. 117201/2022 - WITHDRAWAL OF CASE / APPLICATION)

Date : 06-09-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. ABDUL NAZEER  
 HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN

For Petitioner(s) Mr. Shekhar Nephade, Sr. Adv.  
 Mr. Aniruddha Josh, Adv.  
 Mr. Shashibhushan P. Adgaonkar, AOR  
 Mr. Omkar Jayant Deshpande, Adv.  
 Mr. Aishwarya Dash, Adv.  
 Mr. Faran Hashmi, Adv.  
 Mr. Kumar Mitakshara, Adv.

For Respondent(s) Mr. Mukul Rohatgi, Sr. Adv.  
 Mr. Mahesh Agarwal, Adv.  
 Mr. Shubham Kulshreshtha, Adv.  
 Ms. Kamakshi Saigal, Adv.  
 Mr. Kastubh singh, Adv.  
 Mr. E. C. Agrawala, AOR

Ms. Aishwarya Bhati, ASG  
 Mr. Devashish Bharuka, Adv.  
 Ms. Ruchi Kohli, Adv.  
 Mr. Salvador Santosh Rebello, Adv.  
 Mr. Gurmeet Singh Makker, AOR

Mr. Siddharth Dharmadhikari, Adv.  
 Mr. Aaditya Aniruddha Pande, AOR  
 Ms. Shreya Saxena, Adv.  
 Mr. Bharat Bhagla, Adv.

Mr. Uday B. Dube, AOR  
 Mr. Kaustubh Dube, Adv.

Ms. Radhika Gautam, AOR

UPON hearing the counsel the Court made the following  
 O R D E R

We have heard learned senior counsel for the parties.

On 20.09.2019, the High Court, while disposing of the petition, vide its impugned Order pass the following order:

"20. Thus, we dispose of the petition noting that qua the subject land undisputed position is that as and when the coastal zone management plans are prepared under CRZ-2019 the land would be in CRZ-II. We declare that qua the petitioners' land the development would be permitted as per CRZ-2019 i.e. sans, the development restrictions vide paragraph 5 of CRZ-2011 because the same have been omitted in CRZ-2019. We direct the respondents to sanction the building plans by granting such FSI as would be available as per the Municipal Law. Needful shall be done within eight weeks."

It is brought to our notice that during the pendency of this Petition before this Court, the Coastal Zone Management Plan ("CZMP") for the city of Mumbai has since been published and approved by the Ministry of Environment, Forest and Climate Change, Government of India on 29.09.2021.

In view of the above, the impugned order is set aside. The plan of respondent No.5 i.e. Akshay Sthapatya Private Limited will be considered by the competent authority as per the extant Notification in accordance with law as expeditiously as possible.

With the abovesaid observations, the Special Leave Petition is disposed of.

Pending applications, if any, also stand disposed of.

(NEELAM GULATI)  
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)  
COURT MASTER (NSH)