

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**PUBLIC INTEREST LITIGATION NO.168 OF 2022
WITH
INTERIM APPLICATION NO.14676 OF 2024
IN
PUBLIC INTEREST LITIGATION NO.168 OF 2022
WITH
INTERIM APPLICATION NO.3905 OF 2023
IN
PUBLIC INTEREST LITIGATION NO.168 OF 2022**

Sunil Sureshchandra Agarwal
Vs.

... Petitioner

Navi Mumbai Municipal Corporation (NMMC) and ors. ... Respondents

....

Mr. Subhash Jha with Mr. Siddharth Jha, Mr. Sumeet Upadhyay, Mr. Chetan Gogawale and Ms. Hetal Jain i/by Law Global, Advocates for the Petitioner.

Mr. Vikram Nankani, Senior Advocate with Mr. Saket Mone, Mr. Subit Chakrabarti, Ms. Anchita Nair and Ms. F. Kothari i/by Viddhii Partners, Advocates for the Respondent No.4.

Ms. Neha S. Bhide, Government Pleader with Mr. O. A. Chandarkar, Additional Government Pleader and Ms. G. R. Raghuwanshi, Assistant Government Pleader for the State.

Mr. Tejas Dande, Advocate for the Respondent- NMMC in both matters.

Mr. G. S. Hegde, Senior Advocate with Ms. P.M. Bhansali, Advocates for the Respondent- CIDCO.

**WITH
PUBLIC INTEREST LITIGATION NO.24 OF 2024**

Kanchan Purohit
Vs.

... Petitioner

The Union of India and ors.

... Respondents

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Mr. Subhash Jha with Mr. Siddharth Jha, Mr. Sumeet Upadhyay, Mr. Chetan Gogawale and Ms. Hetal Jain i/by Law Global, Advocates for the Petitioner.

Mr. Vikram Nankani, Senior Advocate with Mr. Saket Mone, Mr. Subit Chakrabarti, Ms. Anchita Nair and Ms. F. Kothari i/by Viddhii Partners, Advocates for the Respondent No.10.

Ms. P. P. Kakade, Additional Government Pleader and Ms. R. A. Salunkhe, Assistant Government Pleader for the State.

Mr. Tejas Dande, Advocate for the Respondent- NMMC.

Ms. Jaya Bagwe, Advocate for the Respondent No.6.

Mr. G. S. Hegde, Senior Advocate with Ms. P.M. Bhansali, Advocates for the Respondent- CIDCO.

Ms. Anjali N. Helekar with Ms. Anu C. Kaladharan, Advocates for the Respondent No.1.

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**CORAM : SHREE CHANDRASHEKHAR, CJ &
SUMAN SHYAM, J.**

DATE : 23rd MARCH 2026

PC:-

This matter has been listed under the caption “For Circulation”, which was granted on 4th March 2026 and published on the same day on the website accordingly.

2. Mr. Subhash Jha, the learned counsel for the petitioner states that this Public Interest Litigation has yet not been admitted and this is still at an admission stage. This has been the practice of this Court that only after the matter is admitted for hearing, the same can be taken up for final disposal.

3. This Public Interest Litigation was filed in the year 2022. There had been series of orders passed by this Court in the present proceeding and one of the orders passed on 29th March 2023 records as under :-

- “1. The Petition will need to be finally heard at the admission stage.*
- 2. But we require the assistance of all concerned in the following respect:*
 - (a) Between them advocates must arrange to have*

the entire record correctly paged and indexed. We will not proceed with the matter if we are expected to do paging ourselves.

(b) The question is about a plot in Navi Mumbai off Palm Beach Marg. There is a history of litigation and this is said to be the third PIL in sequence relating to the plot. For this reason alone, we will require a comprehensive list of dates and events both in hard and soft copy.

c. On behalf of the Respondents questions are raised about issues of res judicata and issue estoppel, apart from other submissions. There are also issues regarding the Coastal Regulation Zone Notification ("CRZ Notification") as periodically amended and the Coastal Zone Management Plans ("CZMP"). It would be impractical to look at several different plans, maps or location drawings etc in different places in the record. Therefore, these should be separately compiled.

(d) We permit the Petitioner and the Respondents to tender concise advance notes of arguments to compress the time required for disposal of the matter. These will be required in hard and soft copy.

(e) Any compilations of authorities proposed to be relied on must also be in hard and soft copy. Soft copies are to be bookmarked with appropriate hyperlinking in the index to the starting page of each compiled judgment. The whole compilation must have running pagination. The index must mention the relevant para numbers of the compiled judgments.

- 3. All soft copies and compilations are to be prepared and submitted by 20th April 2023.*
- 4. We propose to take up the Petition on 25th April 2023.*
- 5. The Developer Respondent No. 4 is put to notice that any work done at site may be made subject to the outcome of this Writ Petition."*

4. This is also a matter of record that this matter was substantially heard on 16th October 2024 and it is recorded in the order of this Court that Mr. Subhash Jha, the learned counsel for the Petitioner has

completed his arguments and the matter was posted for hearing on 22nd November 2024 at 2.30 p.m.

5. On 25th March 2025 this Court passed following order :-

- “1. Heard on Interim Application No.2751 of 2025.*
- 2. Taking into account the nature of controversy involved in this Public Interest Litigation, let the same be listed for final hearing on 11th June, 2025.*
- 3. Accordingly, Interim Application is allowed.”*

6. Still objecting to hearing of these matters, Mr. Subhash Jha, the learned counsel for the Petitioner states that the Special Leave Petition filed against the order dated 10th April 2024 passed by this Court is listed for hearing on 10th April 2026.

7. However, we are of the opinion that hearing of this Public Interest Litigation should not await a final decision in a Special Leave Petition (Civil), having regard to the history of this case and the orders passed in the present proceeding.

8. Post this matter on 8th April 2026 high on board to be taken up alongwith Public Interest Litigation No.24 of 2024.

PIL/24/2024

Post this matter on 8th April 2026.

(SUMAN SHYAM, J.)

(CHIEF JUSTICE)