

Gaikwad RD

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO. 168 OF 2022**

Sunil Sureshchandra Agarwal ...Petitioner
Versus
Navi Mumbai Municipal Corporation (NMMC)
& Ors ...Respondents

Mr Subhash Jha, *with Siddharth Jha, Meena Mishra, Siddh Vidya, Alka Pandey, Akash Singh & Monika Kale, for the Petitioner.*

Mr Tejas Dande, *for Respondent No.1.*

Mr GS Hegde, Senior Counsel, *i/b PM Bhansali, for Respondent No.2-CIDCO.*

Mr Saket Mone, *with Subit Chakrabarti, Khushnumah Banerjee, i/b Vidhi Partners, for Respondent No.4.*

**CORAM G.S. Patel &
 Neela Gokhale, JJ.
DATED: 29th March 2023**

PC:-

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.

(Neela Gokhale, J)

(G. S. Patel, J)

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