

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
INTERIM APPLICATION (L) NO.41075 OF 2025
IN
PUBLIC INTEREST LITIGATION NO.48 OF 2023**

DBS Realty

.... Applicant.

V/s

The Union of India and Others

.... Respondents.

WITH

PIL No.48 of 2023 with IAL No.41075 of 2025, IAL No.4572 of 2025, IAL No.4564 of 2025, IAL No.4562 of 2025, IAL No.4574 of 2025, IAL No.31290 of 2024, IAL No.4546 of 2025, IAL No.4559 of 2025, IA/727/2025, IAL No.4554 of 2025, IAL No.4556 of 2025, IAL No.4557 of 2025, IAL No.4561 of 2025, IAL No.5293 of 2025, IAL No.4573 of 2025, IAL No.4575 of 2025, IAL No.4520 of 2025, IAL No.4522 of 2025, IAL No.4562 of 2025, IAL No. 4524 of 2025, IAL No.4532 of 2025, IAL No.4538 of 2025, IAL No.4541 of 2025, IAL No.4542 of 2025, IAL No.4544 of 2025, IAL No.4547 of 2025, IAL No.4537 of 2025, IAL No.4535 of 2025, IAL No.4566 of 2025.

WITH

**CONTEMPT PETITION (L) NO.9237 OF 2023
IN
WRIT PETITION NO.305 OF 1995**

The Conservation Action Trust

... Petitioner.

V/s

Conservator of Forests and
Director SGNP

...Respondent.

WITH

**INTERIM APPLICATION NO.4309 OF 2025
IN
WRIT PETITION NO.305 OF 1995.**

Adani Electricity Mumbai Limited,
Through its Authorised Representative
Kahini Niraj Raval

...Applicant.

V/s

Bombay Environmental Action
Group and Anr.

... Respondents.

Mr. Praveen Samdani, senior counsel with Ms. Rujuta Patil, Mr. Yohaam Shah, Ms. Divishada Desai, Mr. Hasan Mushabber i/b Negandhi Shah & Himayatullah, advocates for the applicant.

Mr. Hemant Ghadigaonkar a/w Mr. Sandesh More, advocates for the petitioner in PIL No.48 of 2023.

Mr. Vijay Patil, senior advocate i/b Mr. Abhijit M. Patil, advocates for the respondent no.6 (SRA) in PIL/48/2023.

Ms. Oorja Dhond i/b Ms. Komal R. Punjabi, advocates for the respondent no.5 (BMC) in PIL/48/2023.

Mr. Praveen Samdani, senior advocate a/w Mr. Vishal Kanade and Biswadeep Chakravarty i/b Biswadeep Chakravarty for intervenor in IA/727/2025.

Dr. Milind Sathe, Advocate General with Mr. Vishal Thadani, Additional Government Pleader for the respondent nos. 2 to 4 & 7 in IAL/41075/2025, PIL/48/2023, IAL/31290/2024, IA/727/2025, CONPWL/9237/2023, IA/4309/2025, IAL/4522/2025, IAL/4525/2025, IAL/4547/2025.

Dr. Milind Sathe, Advocate General with Ms. Anupama Pawar, AGP for the State in IAL/4572/2025.

Dr. Milind Sathe, Advocate General with Ms. Nazia Sheikh, AGP for the State in IAL/4564/2025.

Dr. Milind Sathe, Advocate General with Ms. Fatima R. Lakdawalla, AGP for the State in IAL/4562/2025.

Dr. Milind Sathe, Advocate General with Smt. Vrushali Kabare, AGP for the State in IAL/4574/2025.

Dr. Milind Sathe, Advocate General with Ms. Varsha Sawant, AGP for the State in IAL/4546/2025.

Dr. Milind Sathe, Advocate General with Ms. Vrushali Kabare, AGP for the State in IAL/4559/2025.

Dr. Milind Sathe, Advocate General with Mr. Vikrant Parshurami,

AGP for the State in IAL/4554/2025.

Dr. Milind Sathe, Advocate General with Ms. Madhura Deshmukh
AGP for the State in IAL/4556/2025

Dr. Milind Sathe, Advocate General with Ms. Manisha Gawade, AGP
for the State in IAL/4557/2025.

Dr. Milind Sathe, Advocate General with Mr Himanshu Takke, AGP
for the State in IAL/4561/2025.

Dr. Milind Sathe, Advocate General with Mr. Manish Upadhye, AGP
for the State in IAL/5293/2025.

Dr. Milind Sathe, Advocate General with Mr. Amar Mishra, AGP for
the State in IAL/4573/2025.

Dr. Milind Sathe, Advocate General with Ms. Rita Joshi, AGP for the
State in IAL/4575/2025.

Mr. Vishal Thadani, Additional Government Pleader for the State in
IAL/4520/2025.

Dr. Milind Sathe, Advocate General with Mr. Vishal Thadani,
Additional Government Pleader for the State in IAL/4522/2025 and
IAL/4524/2025.

Dr. Milind Sathe, Advocate General with Ms. Gauri G. Sawant, AGP
for the State in IAL/4532/2025.

Dr. Milind Sathe, Advocate General with Mr. Suraj Gupte, AGP for
the State in IAL/4538/2025.

Dr. Milind Sathe, Advocate General with Mr. Akshay G. Patkar, AGP
for the State in IAL/4541/2025.

Dr. Milind Sathe, Advocate General with Ms. Gaurangi Patil, AGP for
the State in IAL/4542/2025.

Dr. Milind Sathe, Advocate General with Mr. Dipesh Siroya, AGP for
the State in IAL/4544/2025.

Dr. Milind Sathe, Advocate General with Mr. Vishal Thadani,

Additional Government Pleader for the State in IAL/4547/2025.

Dr. Milind Sathe, Advocate General with Mr. Prashant Kamble, AGP for the State in IAL/4537/2025.

Dr. Milind Sathe, Advocate General with Mr. Rakesh H. Pathak, AGP for the State in IAL/4535/2025.

Dr. Milind Sathe, Advocate General with Ms. Lavina Kriplani, AGP for the State in IAL/4566/2025.

**CORAM : SHREE CHANDRASHEKHAR, CJ &
GAUTAM A. ANKHAD, J.**

DATE : 23rd DECEMBER 2025.

P.C. :

In the course of hearing, Mr. Praveen Samdani, the learned senior counsel appearing for the intervenor in Interim Application (L) No.41075 of 2025 stated that the intervenor has filed Writ Petition Nos.983 of 2024, 1800 of 2024, 5557 of 2025 and 673 of 2023.

2. List these writ petitions on 13th January 2025 under the heading "For Final Disposal". (High on Board)

3. An affidavit dated 28th November 2025 has been tendered in Court. The same is taken on record. In this affidavit filed pursuant to the order dated 12th November 2025, the following statements have been made:-

"6] The Collector Palghar identified the following parcels of land in Palghar District

(i) Lands admeasuring approximately 842 acres in villages Kolgaon, Palghar, Nandore, Tembhode, Shirgaon, Dapoli and Morekurun

(ii) land admeasuring about 252 acres in village Kelve Road; These lands are stated to be vacant.

7] The Collector Thane identified vacant land admeasuring S. No.17 in Village Pise, Bhiwandi Taluka admeasuring 100 acres.

8] MHADA conducted a site inspection of these lands on

21.11.2025 to assess its suitability for constructing rehabilitation tenements and has submitted its report. Hereto annexed and marked as **EXHIBIT-C Colly.** is the copy of Report dated 21.11.2025 alongwith covering letter.

9] The said report on the land inspected at Palghar discloses

(i) that on land bearing S Nos. 211, 212, 213, 214, 215 in Village Kolgaon, there are already several buildings constructed for Government use and further construction of such buildings is proposed. Therefore, this land would not be suitable for the purpose of rehabilitation of encroachers in SGNP.

(ii) land bearing S. No.239, Village Kolgaon admeasuring approximately 500 acres is suitable for the purpose of residential construction upon basic amenities being made available. This land is within a radius of 5 km from the Office of the Collector Palghar. There is suitable railway connectivity at Palghar Station as well as State Transport Bus facility. This land is vacant and in Residential Zone. There are no reservations on this land. As this land had been transferred to CIDCO Ltd., directions have been issued to Urban Development Department-1 to have this land transferred to MHADA.

(iii) land in Village Kelve, S Nos. 462, 466, 467, 520, 521 and 522 admeasuring 100 acres is suitable for the purpose of rehabilitation upon basic amenities being made available. There is suitable railway and bus connectivity to this site. This land is vacant and in Residential Zone. There are no reservations on this land.

(iv) The land suggested by the Collector Thane at Pise S No.17, Taluka Bhiwandi is situated in the "Blue Line" of the Bhatsa River and hence no construction is permissible on that land."

4. Post the matters on 3rd February 2026.

[GAUTAM A. ANKHAD, J.]

[CHIEF JUSTICE]

BHARAT
DASHARATH
PANDIT

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