

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 7567/2023

(Arising out of impugned judgment and order dated 15-02-2023 in WP No. 3409/2021 passed by the High Court of Judicature at Bombay)

BOMBAY ENVIRONMENTAL ACTION GROUP

Petitioner(s)

VERSUS

PRISM JOHNSON LTD & ORS.

Respondent(s)

(FOR ADMISSION and I.R.)

Date : 24-04-2023 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE ARAVIND KUMAR

For Petitioner(s) Mr. Shyam Divan, Sr. Adv.
Mr. Sanjay Upadhyay, Adv.
Mr. Mohit Gandhi, Adv.
Ms. Sheetal Shah, Adv.
Mr. Rohan Thawani, Adv.
Ms. Pooja Dhar, AOR
Ms. Gitanjali Sanyal, Adv.
Ms. Sonali Sen Gupta, Adv.
Mr. Mantavya Sharma, Adv.
Mr. Pratul Pratap Singh, Adv.
Ms. S. Ambica, Adv.
Ms. Gunjan Ahuja, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following

O R D E R

Heard Mr. Shyam Divan, the learned senior counsel appearing for the petitioner who is challenging the judgment dated 15.02.2023 of the High Court of Bombay in Writ Petition No. 3409 of 2021 whereby the respondent/writ petitioner was permitted to cut 12575 mangrove spanning approximately 5.03 hectares in the ecologically sensitive area covered within Coastal Regulation Zone in the Raigad District.

The learned senior counsel would submit that the ecological implication for destruction of the mangrove was not appropriately considered by the High Court. It is also pointed out that the concerned land which was given up by the respondent-writ petitioner in order to carry on mining, stood mutated in the name of the Forest Department and the same could not have been returned back to the original land owner, in view of the classification of the area as forest, in terms of the judgment dated 12.12.1996 in *T.N. Godavarman Thirumulpad v. Union of India & Ors.* in Writ Petition (Civil) No. 202 of 1995. According to the petitioner, the destruction of the mangrove would have implication not only for the flora and fauna but also for the mudflat in the concerned coastal area, in the Raigad District.

Issue notice on the Special Leave Petition as also on the prayer for interim relief, returnable in four weeks.

(NITIN TALREJA)
COURT MASTER (SH)

(KAMLESH RAWAT)
ASSISTANT REGISTRAR