

BDPPS

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.307 OF 2016
IN
PUBLIC INTEREST LITIGATION NO.87 OF 2006**

Mumbai Metropolitan Region
Development Authority

..... Applicant.

In the matter between

Bombay Environment Action Group
and Another

.....Petitioners.

V/s

State of Maharashtra and Others.

.... Respondents.

Mr. Saket Mone a/w Mr. Subit Chakrabarti i/b Vidhi Partners for applicant in Notice of Motion No. 307 of 2016 in PIL No.87 of 2016.

Mr. Navroz Seervai, Senior Counsel a/w Ms. Shreya Parikh for the Petitioner in PIL No.87 of 2006.

Mrs. P.H. Kantharia, AGP for Respondent/State in PIL No.87 of 2006.

Ms. Trupti Puranik for Respondent/BMC.

Ms. Sharmila Deshmukh for CRZ.

**CORAM: V. M. KANADE &
MS. NUTAN D. SARDESSAI, JJ.**

DATE: 28th November, 2016

P.C.:-

1. This Notice of Motion is taken out by the Applicant for carrying out construction of the proposed Mumbai Trans Harbour Link (a proposed 22 km freeway grade road bridge connecting the island city of Mumbai with Navi Mumbai).

2. The learned Counsel appearing on behalf of the Applicant submits that Applicant has obtained clearance from all the concerned authorities. He submitted that Ministry of Environment and Forest, Government of India has granted approval on 22/01/2016 and CRZ clearance has been granted on 25/01/2016. Applicant has given an undertaking in paras 12 and 27 of the affidavit in support of the Notice of Motion. The said undertaking is accepted. Applicant shall comply with all the conditions which are imposed in the said letters of sanction granted by both the authorities.

3. We are satisfied that the said project is public utility project and we grant leave in terms of prayer clause (a) of the Notice of Motion subject to conditions imposed by both the authorities.

4. Notice of Motion is accordingly allowed in terms of prayer clause (a) and disposed of.

(MS. NUTAN D. SARDESSAI, J.)**(V.M. KANADE, J.)**