



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION (LODGING) NO.9237 OF 2023

Samyak Janhit Seva Sanstha .. Petitioner
Vs.
The Union of India .. Respondent

ALONG WITH

PUBLIC INTEREST LITIGATION NO.48 OF 2023

Samyak Janhit Seva Sanstha .. Petitioner
Vs.
The Union of India .. Respondent

ALONG WITH

INTERIM APPLICATION (LODGING) NO.5293 OF 2025
INTERIM APPLICATION (LODGING) NO.4575 OF 2025
INTERIM APPLICATION (LODGING) NO.4574 OF 2025
INTERIM APPLICATION (LODGING) NO.4573 OF 2025
INTERIM APPLICATION (LODGING) NO.4572 OF 2025
INTERIM APPLICATION (LODGING) NO.4566 OF 2025
INTERIM APPLICATION (LODGING) NO.4564 OF 2025
INTERIM APPLICATION (LODGING) NO.4562 OF 2025
INTERIM APPLICATION (LODGING) NO.4561 OF 2025
INTERIM APPLICATION (LODGING) NO.4559 OF 2025
INTERIM APPLICATION (LODGING) NO.4557 OF 2025
INTERIM APPLICATION (LODGING) NO.4556 OF 2025
INTERIM APPLICATION (LODGING) NO.4554 OF 2025
INTERIM APPLICATION (LODGING) NO.4547 OF 2025
INTERIM APPLICATION (LODGING) NO.4546 OF 2025
INTERIM APPLICATION (LODGING) NO.4544 OF 2025
INTERIM APPLICATION (LODGING) NO.4542 OF 2025
INTERIM APPLICATION (LODGING) NO.4541 OF 2025
INTERIM APPLICATION (LODGING) NO.4538 OF 2025
INTERIM APPLICATION (LODGING) NO.4537 OF 2025
INTERIM APPLICATION (LODGING) NO.4535 OF 2025
INTERIM APPLICATION (LODGING) NO.4532 OF 2025
INTERIM APPLICATION (LODGING) NO.4524 OF 2025
INTERIM APPLICATION (LODGING) NO.4522 OF 2025
INTERIM APPLICATION (LODGING) NO.4520 OF 2025
INTERIM APPLICATION (LODGING) NO.727 OF 2025
INTERIM APPLICATION (LODGING) NO.31290 OF 2024

**IN
PUBLIC INTEREST LITIGATION NO.48 OF 2023**

Mahendra Prasad Ramsiroman	.. Applicant
Dalpat Roop Singh	.. Applicant
Suchita Sanjay Amre	.. Applicant
Tirupati Rajagoad Balsani	.. Applicant
Yashwant Pannalal Jain	.. Applicant
Umesh Hindurao Chavan	.. Applicant
Ravindra S. Singh	.. Applicant
Phoolchand S. Vishwakarma	.. Applicant
Kamala Kesharam Choudhari	.. Applicant
Devilal Khemaji Patel	.. Applicant
Ravishankar Shobhanath Yadav	.. Applicant
Chunnilal Narsingh Ram Chaudhary	.. Applicant
Vivek Sarkar Singh	.. Applicant
Pannalal Sabbar Kanujiya	.. Applicant
Laxmikant Shivanath Yadav	.. Applicant
Jadavatidevi Hariprasad Yadav	.. Applicant
Santosh Ramvilas Gupta	.. Applicant
Bindraprasad Subedar Yadav	.. Applicant
Sonabai Madhav Sonavane	.. Applicant
Madhuri Puranmasilal Gupta	.. Applicant
Vaishali Vilas Korgavkar	.. Applicant
Mangesh Dattaram Salvi	.. Applicant
Parvati Ramakant Mishra	.. Applicant
Jayprakash Rambahadur Singh	.. Applicant
Surendrabhahadur Suryanarayan Singh	.. Applicant
Nanabhoy Jeejeebhoy Pvt. Ltd.	.. Applicant
Vanashakti Public Trust and Anr.	.. Applicant

- Mr. Janak Dwarkadas, Senior Advocate, with Ms. Namrata Vinod, Advocate, i/by Jaykars, for the Petitioner in CONPW(L)/9237/2023.
- Mr. Hemant Ghadigaonkar with Mr. Sandesh More and Mr. Hitendra Gandhi, Advocates for the Petitioner in PIL/48/2023.
- Mr. Vishal Kanade with Mr. Biswadeep Chakravarty, Advocates for the Intervenor in IA/727/2025.
- Mr. Rajiv Chavan, Senior Advocate, with Ms. Priyanka Chavan, Ms. Sonam Pandey and Ms. Asmi Desai, Advocates for the Union of India in CONPW(L)/9237/2023.
- Ms. Sangeeta Yadav, Advocate for Respondent No.1-UOI in IA/1853/2025.

- Mr. Vijay Patil, Senior Advocate, i/by Mr. Abhijit M. Patil, Advocate, for Respondent No.6-SRA in PIL/48/2023.
- Ms. Oorja Dhond, i/by Ms. Komal R. Punjabi, Advocates for Respondent No.5-BMC in PIL/48/2023.
- Dr. Birendra Saraf, Advocate General, with Mr. Vishal Thadani, Additional Government Pleader for Respondent Nos.2 to 4 and 7 in PIL/48/2023, IA(L)/31290/2024, IA/727/2025 and CONPW(L)/9237/2023.
- Dr. Birendra Saraf, Advocate General, with Ms. Anupama Pawar, Assistant Government Pleader for the State in IA(L)/4572/2025.
- Dr. Birendra Saraf, Advocate General, with Ms. Nazia Sheikh, Assistant Government Pleader for the State in IA(L)/4564/2025.
- Dr. Birendra Saraf, Advocate General, with Ms. Fatima R. Lakdawalla, Assistant Government Pleader for the State in IA(L)/4562/2025.
- Dr. Birendra Saraf, Advocate General, with Ms. Vrushali Kabare, Assistant Government Pleader for the State in IA(L)/4574/2025.
- Dr. Birendra Saraf, Advocate General, with Ms. Varsha Sawant, Assistant Government Pleader for the State in IA(L)/4546/2025.
- Dr. Birendra Saraf, Advocate General, with Ms. Vrushali Kabare, Assistant Government Pleader for the State in IA(L)/4559/2025.
- Dr. Birendra Saraf, Advocate General, with Mr. Vikrant Parshurami, Assistant Government Pleader for the State in IA(L)/4554/2025.
- Dr. Birendra Saraf, Advocate General, with Ms. Madhura Deshmukh, Assistant Government Pleader for the State in IA(L)/4556/2025.
- Dr. Birendra Saraf, Advocate General, with Ms. Manisha Gawade, Assistant Government Pleader for the State in IA(L)/4557/2025.
- Dr. Birendra Saraf, Advocate General, with Mr. Himanshu Takke, Assistant Government Pleader for the State in IA(L)/4561/2025.
- Dr. Birendra Saraf, Advocate General, with Mr. Manish Upadhye, Assistant Government Pleader for the State in IA(L)/5293/2025.
- Dr. Birendra Saraf, Advocate General, with Mr. Amar Mishra, Assistant Government Pleader for the State in IA(L)/4573/2025.

- Dr. Birendra Saraf, Advocate General, with Ms. Rita Joshi, Assistant Government Pleader for the State in IA(L)/4575/2025.
- Mr. Vishal Thadani, Additional Government Pleader for the State in IA(L)/4520/2025.
- Dr. Birendra Saraf, Advocate General, with Mr. Vishal Thadani, Additional Government Pleader for the State in IA(L)/4522/2025 and IA(L)/4524/2025.
- Dr. Birendra Saraf, Advocate General, with Ms. Gauri G. Sawant, Assistant Government Pleader for the State in IA(L)/4532/2025.
- Dr. Birendra Saraf, Advocate General, with Mr. Suraj Gupte, Assistant Government Pleader for the State in IA(L)/4538/2025.
- Dr. Birendra Saraf, Advocate General, with Mr. Akshay G. Patkar, Assistant Government Pleader for the State in IA(L)/4541/2025.
- Dr. Birendra Saraf, Advocate General, with Ms. Gaurangi Patil, Assistant Government Pleader for the State in IA(L)/4542/2025.
- Dr. Birendra Saraf, Advocate General, with Mr. Dipesh Siroya, Assistant Government Pleader for the State in IA(L)/4544/2025.
- Dr. Birendra Saraf, Advocate General, with Mr. Vishal S. Khanavkar, Assistant Government Pleader for the State in IA(L)/4547/2025.
- Dr. Birendra Saraf, Advocate General, with Mr. Prashant Kamble, Assistant Government Pleader for the State in IA(L)/4537/2025.
- Dr. Birendra Saraf, Advocate General, with Mr. Rakesh H. Pathak, Assistant Government Pleader for the State in IA(L)/4535/2025.
- Dr. Birendra Saraf, Advocate General, with Ms. Lavina Kriplani, Assistant Government Pleader for the State in IA(L)/4566/2025.

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

DATE : 16TH OCTOBER 2025.

P.C. :

The present Contempt Petition alleges contempt of various orders passed in Writ Petition No.305 of 1995 for the protection and preservation of the area of Sanjay Gandhi National Park Division admeasuring approximately 104 square kilometers (as referred to in paragraph nos.6, 34, 168 and 169 of the order dated 15th September 2003 in Writ Petition No.305 of 1995) (in short, "**SGNP**") – a unique habitat located within the twin metropolises of Mumbai and Thane.

2. According to the petitioners, thirty years have elapsed and various orders have been passed by this Court since 1997 but the State Government has taken no effective steps for compliance of the orders of the Court and, thus, committed gross contempt of Court. Various affidavits have been filed by the State Government seeking to place on record certain steps that they have taken and difficulties faced by them in compliance of the orders of the Court. However, this cannot be disputed that the various orders passed by this Court over a period of thirty years are still to be complied with. This has perhaps led to further encroachments in SGNP. The Google Earth images of SGNP annexed at Exhibit "O" to the petition shows that the construction of boundary wall around the SGNP and the removal of encroachments are not complete. We are informed that the boundary wall is constructed only for approximately 49 kms. out of 154 kms.

3. In order to ensure that effective steps can be taken for protection of the Sanjay Gandhi National Park, several orders were passed in Writ Petition No.305 of 1995 on 7th May 1997, 17th July 1999 and 2nd March 2000 and reaffirmed by the final judgment

dated 15th September 2003 but those orders have remained unimplemented by the Government and its agencies for nearly three decades. Despite the continuing wrongs and further orders of this Court dated 22nd August 2024, 9th October 2024, 9th January 2025 and 14th January 2025, the situation continues to remain unchanged. In these circumstances, during the hearing on 13th October 2025, we called upon the learned Advocate General to furnish details of land on which the rehabilitation scheme can be worked out. We had also indicated to the parties to find out feasibility to form a High Power Committee which can *inter alia* suggest measures for protection of Sanjay Gandhi National Park and also for compliance of the orders of the Court.

4. Dr. Saraf, the learned Advocate General assured the Court that the State is taking all steps to comply with the orders passed by this Court and submitted that out of 90 acres of land to rehabilitate the encroachers, approximately 44 acres land would be immediately made available for residential development. As regards the balance 46 acres, the same would be processed very soon if the land is not included in the final notification for forest. Considering the present scenario, and to ensure that steps are taken for protection of SGNP, a crown jewel for the cities of Mumbai and Thane, we called upon the learned Advocate General, Mr. Dwarkadas, the learned senior counsel and other counsels appearing in this litigation to furnish a proposal which could streamline this process and ensure that the park is protected. Based on the suggestions, we deem it necessary to constitute a High Power Committee of the following persons:

(i)	Justice D.B. Bhosale, Former Chief Justice of Allahabad High Court	... Chairman
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(ii)	Mr. Nitin Kareer, Former Chief Secretary of the State of Maharashtra	... Member
(iii)	Mr. Subodh Kumar Jaiswal, Former Director General of Police, State of Maharashtra	... Member
(iv)	Mrs. Anita Patil, Conservator of Forests and Director of SGNP, Borivali	... Member Secretary

5. The scope of reference of the Committee shall be as under:

- (i) To ensure the expeditious construction of a boundary wall along with the limits of Sanjay Gandhi National Park to prevent any further encroachments,
- (ii) To suggest measures for the compliance of the orders passed by this Court and such other measures are required to be taken for the protection of the Sanjay Gandhi National Park,
- (iii) To suggest measures and steps to be taken including identification of the lands and construction and funding of rehabilitation tenements for rehabilitating the encroachers in the Sanjay Gandhi National Park,
- (iv) To take inputs from all concerned agencies in identification of the lands where the construction of rehabilitation tenements can be carried out,
- (v) For removal of encroachments from Sanjay Gandhi National Park,
- (vi) To enquire into the various Interim Applications pending before this Court including Interim Application No.9878 of 2025 filed by the State Government and after hearing of the necessary parties, submit a report to this Court as regards each of the pending Interim Applications.

6. To ensure that the Committee can discharge its functions

effectively, all agencies of the State Government shall render fullest support and co-operation and furnish such information to the Committee as may be required including office space, vehicles, secretarial assistance, police assistance and such other infrastructure or other assistance as may the Committee require.

7. The Chairman and the other Members of the High Power Committee will be paid Rs.1,00,000/- and Rs.55,000/- respectively per sitting.

8. Any failure to render assistance to High Power Committee or refusal or disobedience of any request, order, directions of the High Power Committee shall be treated as breach of this order and appropriate proceedings including contempt proceedings may be taken against the concerned persons.

9. The Committee shall submit its first report before this Court within three months from the date of the first meeting of the Committee.

10. We appreciate the proactive approach adopted by Dr. Saraf, the learned Advocate General, in facilitating the constitution of the Committee. We direct the State Government to publish on their website including of respondent nos. 1 and 2, the details of the Committee as well as the schedule of its meetings, so that all concerned parties remain apprised of the proceedings in the matter. If the Committee so considers appropriate, the minutes of its meetings may also be published on the said websites.

11 List this Contempt Petition, along with Public Interest Litigation No.48 of 2023 and pending Interim Applications therein, on 19th February 2025 "High on Board". Liberty to the parties to apply in case any difficulty arises in the implementation of this order.

[**GAUTAM A. ANKHAD, J.**]

[**CHIEF JUSTICE**]

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