

ITEM NO.22

COURT NO.6

SECTION PIL-W

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

Miscellaneous Application No. 1864/2026 in W.P.(C) No. 1166/2025

[Arising out of impugned final judgment and order dated 12-01-2026 in W.P.(C) No. No. 1166/2025 passed by the Supreme Court of India]

JIPNESH NARENDRA JAIN

Petitioner(s)

VERSUS

STATE OF MAHARASHTRA & ORS.

Respondent(s)

List on 11.06.2026

IA No. 177555/2026 - CLARIFICATION/DIRECTION

Date : 11-06-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

(PARTIAL COURT WORKING DAYS BENCH)

For Parties(s) : Mr. Ashish Batra, AOR

Mr. Ashish Wad, Adv.*
Mr. Siddharth Dharmadhikari, Adv.
Mr. Manoj Wad, Adv.
Ms. Swati Arya, Adv.
Mr. Deepanshu Verma, Adv.
M/s J S Wad & Co., AOR

Mr. Akash Kakade, Adv.*
Mr. Somanatha Padhan, AOR

UPON hearing the counsel the Court made the following

O R D E R

1. This Miscellaneous Application has been preferred seeking clarification that the latest Master Layout and Concept Design with the proposed modifications at Annexure A-2 is in conformity with the order dated 12.01.2026, passed by this

Court in W.P(C) No.1166/2025 and consequently, direct that the applicant be permitted to finalize the detailed design of the said latest Master Layout and proceed with the execution thereof without impediment subject to applicable approvals of respondent no.2 (Municipal Corporation of Greater Mumbai).

2. Admittedly, this Court has already passed an order in W.P.(C) No.1166/2025 in which one of us, (Hon'ble Mr. Justice Atul S. Chandurkar), was a Member observing the following:

".....In this regard, it shall suffice to say that the said area ought to be accessible for general public for its free use except making provision with respect to maintaining the project with high standards and in the best possible manner. It is suffice to say that if the agency and the corporation wish to carry out any activities necessary for attracting visitors or developing iconic parks or centers for public attraction including recreational attraction and other regulated facility by charging some fee it may be permitted to be introduced on limited areas thereby the safety, security and public order can be maintained by the agency or through Corporation in their wisdom. It will also suffice to observe that no residential and commercial development for sale or lease of the said property shall be permitted to be maintained in terms of the contract.".....

3. After the above order was passed by this Court, the applicant moved the Bombay Municipal Corporation (for short, 'BMC') seeking in principle approval of the Master Layout of the Mumbai Coastal Road Garden and Promenade. The BMC considered the proposal in the meeting of the Landscaping Committee held on 19.05.2026 and held the discussion which is mentioned in Annexure A-6 of the Miscellaneous Application, which is reproduced herein below for ready reference:

Sr. No.	Agenda	Discussion	Committee's Directions
1.	Review & Assessment in principle approval/requested by RIL and decision should be taken w.r.t. our Supreme Court order dated 30.09.2022 and recent order dated 12.01.2026 in Writ Petition.	In the previous meeting, Chairman directed Coastal Road Department to obtain remarks from BMC Legal Department. The Legal department has furnished the legal opinion of M/S JS Wad & Co as "in the light of the same, the activities sought to be undertaken maybe revised or leave maybe sought from the Hon'ble Court to go ahead with the specific activities mentioned in the aforementioned letter dt. 18.02.2026". It was discussed that for planning purpose RIL can go ahead with the concept plan submitted in last meeting with activities mentioned in letter dated 18.02.2026 to save time, but RIL should obtained Supreme Court approval for commercial/ticketed activities before start of work as the the work may start after monsoon. It was also discussed that M/s RIL can use max 15% area as recreational amenities/access control.	Detailed discussion was held regarding this matter. It was decided to put up proposal to higher authority to give in principle approval for the activities mentioned in the RIL letter dated 18.05.2026.

4. Although, the Landscaping Committee has directed that the proposal be put up before the Higher Authority to give in-principle approval of the activities mentioned in RIL letter dated 18.05.2026, however, in the absence of the so called approval by the Supreme Court, the matter has not proceeded further.

5. In view of the above and since there is a tentative approval of the Layout Plan by the BMC, as is reflected in the discussion reproduced above, we direct that the Master Layout Plan at Annexure A-2, shall be considered by the BMC without violating this Court's earlier order dated 12.01.2026.

6. Needless to reiterate, that the applicant shall not undertake any such activities which would violate this Court's order dated 12.01.2026.

7. At this stage, learned counsel appearing for the applicant submits that the applicant will not use more than 15 per cent area as recreational activities/ticketed access control.

8. Miscellaneous Application along with the application (IA No. 177555/2026) seeking clarification stand disposed of accordingly.

(NISHA KHULBEY)
COURT MASTER(SH)

(AKSHAY KUMAR BHORIA)
COURT MASTER(NSH)