

ITEM NO.301

COURT NO.4

SECTION PIL(W)

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SUO MOTO WRIT PETITION (CIVIL) No.2/2019

RE: FELLING OF TREES IN AAREY FOREST (MAHARASHTRA)

VERSUS

Respondent(s)

Date : 07-10-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Sanjay Hegde, Sr. Adv.
Mr. Siddhartha K. Garg, Adv.

By Courts Motion

SLP Diary 14849/19 Mr. Zaman Ali, Adv.
Ms. Gunjan Singh, Adv.
Mr. Siddharth Acharya, Adv.
Mr. Ankur Kumar, Adv.
Mr. Satya Mitra, AOR

SLP Diary 36651/19 Mr. Gopal Sankaranarayanan, Sr. Adv.
Ms. Pooja Dhar, AOR
Mr. Shurtanjaya Bhardwaj, Adv.
Ms. Harish Rishika, Adv.
Mr. Neel Kamal Mishra, Adv.

WP(C) 1132/19 Dr. J.P. Dhanda, Adv.
Ms. Raj Rani Dhanda, Adv.
Mr. R.K. Gupta, Adv.

For Respondent(s) Mr. Tushar Mehta, SG
Mr. Ashish Wad, Adv.
Mrs. Jayashree Wad, Adv.
Mr. Sidharth Mahajan, Adv.
Ms. Sukriti Jaggi, Adv.
Mr. Ajeyo Sharma, Adv.
Mr. D.L. Chidananda, Adv.
Mr. G.S. Makker, Adv.

For MMRC

Mr. Maninder Singh, Sr. Adv.
Ms. Rukhmini Bobde, Adv.
Mr. Kumar Shashank, Adv.
Mr. Nivesh Kumar, Adv.
Ms. Shagufa Salim, Adv.
Mr. Aviral Kapoor, Adv.
Mr. Vishal Prasad, Adv.

Mr. Nishant R. Takneshwarkar, Adv.
Mr. Nishant Sharma, Adv.

UPON hearing the counsel the Court made the following
O R D E R

S.L.P.(C) No.31178/2018, S.L.P.(C) Diary No.14849/2019, Writ
Petition (C) No.1132/2019 and S.L.P(C) Diary No.36651/2019

On mentioning, these matters are taken on Board.

Tag S.L.P.(C) No.31178/2018, S.L.P.(C) Diary
No.14849/2019, Writ Petition (C) No.1132/2019 and S.L.P(C)
Diary No.36651/2019 with S.M.W.P. (C) No.2/2019, for being
heard together.

SUO MOTO WRIT PETITION (CIVIL) No.2/2019

We have heard learned counsel for the parties at
length.

It is pointed out from the record of S.L.P.(C)
No.31178 of 2018, as seen from the Management Plan for Sanjay
Gandhi National Park, Borivali, Mumbai, some of the areas of
the Aarey Milk Colony were transferred to revenue lands from
the un-classed forests. However, identity of the area is to
be established by the petitioners, though, it was orally
stated that the area in question fell in the un-classed
forest. Be that as it may.

Shri Tushar Mehta, learned Solicitor General
appearing for the State of Maharashtra has stated that they

are not going to cut any further trees till the next date of hearing. In the circumstances, the statement is quite fair. It is stated by Mr. Mehta that the incumbents who have been arrested have been released. It is further submitted that in case anybody has not been released so far, he/she be released immediately on furnishing personal bond. Let the statement made be carried out in pith and substance.

Parties may exchange the documents in the meantime. As prayed for jointly by the learned counsel for the parties, list these matters before the Forest Bench on 21st October, 2019, as the said Bench is hearing the matter pertaining to the similar issues in T.N. Godhavarman's case.

As undertaken, *status quo* be maintained till the next date of hearing with respect to cutting of trees.

(Chetan Kumar)
A.R. - cum - P.S.

(Sunil Kumar Rajvanshi)
Court Master