

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). 32717/2025

[Arising out of impugned final judgment and order dated 30-06-2025 in PIL No. 43/2025 passed by the High Court of Judicature at Bombay]

M/S. INTEGRATED REALTY PROJECTS

Petitioner(s)

VERSUS

DILEEP V SAPTARSHI & ORS.

Respondent(s)

Date : 27-07-2026 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) : Ms. Ramaa Subramanian, Adv.
Mr. Varun Dev Mishra, AOR
Ms. Kirti Lal, Adv.

For Respondent(s) : Mr. Gopal Sankaranarayanan, Sr. Adv.
Ms. Pooja Dhar, AOR
Ms. Trisha Chandran, Adv.

Mr. Atmaram N.s. Nadkarni, Sr. Adv.
Mr. Sakya Singha Chaudhuri, AOR
Ms. Asmita Narula, Adv.
Ms. Amisha Rathaur, Adv.
Ms. Himanshi Nagpal, Adv.

Ms. Yugandhara Pawar Jha, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande, AOR
Mr. Shrirang B. Varma, Adv.

Mr. Abhikalp Pratap Singh, AOR
Mr. Kartikh, Adv.
Ms. Mrinmoi Chatterjee , AOR

UPON hearing the counsel the Court made the following

O R D E R

1. We heard Ms. Ramaa Subramanyam, the learned counsel appearing for the petitioner (Developer) original respondent No.6 before the High Court. Mr. Gopal Sankaranarayanan, the learned Senior Counsel appearing for the respondent No.3-One of the original petitioners before the High Court, Mr. Nadkarni, the learned Senior Counsel appearing for the respondent Nos. 4 and 5 respectively and Mr. Abhikalp Pratap Singh, the learned counsel appearing for the respondent No.8-Slum Rehabilitation Authority.

2. To put it briefly, a writ petition came to be filed in public interest by the clients of Mr. Gopal Sankaranarayanan, learned Senior Counsel seeking appropriate writ direction or order against the Municipal Corporation for Greater Mumbai (for short "the MCGM") to demarcate/fence plot of land ad-measuring 6,000 square meters for use as a playground out of plot bearing City Survey No. No.1143(previous No.1143-D) situated at Ambedkar Road, H West Ward, Khar, Mumbai in a manner that the size/dimension of the plot does not get reduced. A further direction was sought for against the MCGM for development of the said plot of land ad-measuring 6,000 square meters as a playground.

3. The PIL came to be disposed of by the High Court vide the impugned judgment and order dated 30th June, 2025 with the following directions:-

" The order dated October 21, 1994 passed by the High Court on Notice of Motion No.690 of 1994 is, therefore, set aside and the said Notice of Motion No.690 of 1994 taken out by the appellant is allowed and the operation of the interim order dated November 28, 1988 passed by the High Court is modified and it is directed that no construction of any dwelling unit shall be made or permitted to be made on an area of 6000 sq.mtrs. Of plot bearing Survey No.1143 reserved

for play ground in the Revised Development Plan of 1992 which area should be demarcated by the appellant as per the Revised Development Plan of 1992, and the said interim order dated November 28, 1988 is vacated in respect of the rest of the area of the plot bearing Survey No. 1143 referred to above. The appeal is disposed of accordingly. No costs."

4. The petitioner-Developer being dissatisfied with the impugned judgment and order passed by the High Court is here before us with the present petition.

5. In the course of today's hearing, we made ourselves abundantly clear to the learned counsel appearing for the petitioner that we would not permit her client to put up any construction on the plot in question. It has been reserved for the purpose of a playground. The order passed by this Court way back on 3rd April, 1995 in Civil Appeal No. 4296 of 1995 also assumes much significance wherein this Court observed as under.

" The order dated October 21, 1994 passed by the High Court: on Notice of Motion No. 690 of 1994 is, therefore, set aside and the said Notice of Motion No. 690 of 1994 taken out by the appellant is allowed and the operation for the interim order dated November 28, 1988 passed by the High Court is modified and it is directed that no construction of any dwelling on that be made or permitted to lie made on an area of 6000 sq. mtrs. of plot bearing Survey No. 1143 reserved for play ground in the Revised Development Plan of 1992 which area should be demarcated by the Appellant as per the Revised Development Plan of 1992, and the said interim order dated November 28, 1988 is vacated in respect of the rest of the area of the plot bearing Survey No. 1143 referred to above. The appeal is disposed of accordingly. No costs."

6. Mr. Nadkarni, the learned Senior Counsel clarified that upon demarcation as directed, the plot now ad-measures 5255 square meters & shall be utilized only and only for the purpose of

playground. We direct the MCGM to now start with the development of this plot as a playground in larger public interest. In so far as the plot occupied by the slum dwellers, the Slum Development Authority shall undertake the necessary exercise and if the petitioner-Developer is otherwise entitled to develop the land with the consent of the slum dwellers, he may apply with the Authority in that regard in accordance with law.

7. With the aforesaid, this petition stands disposed of.

8. Let this matter, come up before us after four months to report compliance as regards development of the plot referred to above as a playground. We shall, not grant any further time to the Authority in so far as the development of the plot as a playground is concerned. If there is any encroachment within the plot ad-measuring 5255 square meters, the Authority concerned shall take immediate action and see to it that the encroachment is removed.

(SACHIN KUMAR SRIVASTAVA)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (NSH)