

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY****CIVIL APPELLATE JURISDICTION****REVIEW PETITION NO. 142 OF 2024****IN****WRIT PETITION NO.371 OF 2024**

Suresh Krushna Gaikwad

.....Petitioner

Vs.

State of Maharashtra &amp; Ors.

.....Respondents

Mr. Dhananjay Chavan for the Petitioner.

Mr. V.M. Mali, AGP for the Respondent-State.

**CORAM : A. S. GADKARI AND  
M.M. SATHAYE, JJ.****DATE : 24<sup>th</sup> JULY, 2025.****P.C.:-**

1) Perusal of Order under Review dated 15<sup>th</sup> January, 2024, clearly indicates that, this Court has directed the Petitioner to approach the Maharashtra Administrative Tribunal, which is a Court of first instance as per the constitutional scheme. Even otherwise, the Petitioner is having substantive alternate statutory remedy under the relevant Acts and by making those provisions otiose, cannot be permitted to approach this Court directly under Article 226 of the Constitution of India.

2) In view thereof, we find no merits in the Petition.

3) Review Petition is accordingly dismissed.

**(M.M. SATHAYE, J.)****(A.S. GADKARI, J.)**