

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

INTERIM APPLICATION NO. 12199 OF 2025

IN

WRIT PETITION NO. 12048 OF 2025

Santosh Uttamrao Upare. ... Petitioner.

V/s.

Chief General Manager HRD Dept. & Ors. ... Respondents.

Mr. Santosh Uttamrao Upare, Petitioner in person.

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 10th NOVEMBER, 2025

P.C. :

1. The Petitioner, is before us, in person. The Committee of the learned Registrars (who are Judicial Officers) have tendered a report dated 26/9/2025, concluding that the overall capability of the Petitioner has been ascertained and the Committee is of the opinion that he should not be granted permission to appear before the Court in person. He would be unable to assist the Court.

2. The Petitioner in person submits before us that he is

conversant with his own case. Considering the peculiarity of the case, he desires to address the Court himself. He does not desire to engage an Advocate.

3. On the condition that the Petitioner would conduct himself in accordance with court manners and etiquette and maintain the dignity and decorum of the Court, as well as, of the lawyers appearing on behalf of the Respondents, we are permitting him to address the Court. We clarify that if there is a single instance of misbehaviour in the Court or the Petitioner acts discourteously in relations to the colleague advocates or the Court, we would restrain his appearance, thereafter.

4. The Petitioner in person, before opening the brief and before commencing submissions, submits that he desires to withdraw the Interim Application in view of the fact that he has already been compulsorily retired from service, by way of punishment, with effect from 30th June, 2025 on account of proved misconduct.

5. In view of the above, the **Interim Application is disposed off as withdrawn personally** by the Petitioner in person.

ORDER BELOW WRIT PETITION

6. The Petitioner has already suffered an order of punishment after conclusion of the disciplinary proceedings and has been compulsorily retired with effect from 30th June, 2025. We cannot grant interim relief in the nature of reinstatement in service in such a case, more so, when the Petitioner has been found guilty of misconducts under the POSH Act, 2013.

2. In view of the above, **Rule. No interim relief.**

3. Office to issue notice on Rule to the Respondents.

4. Let the Respondents enter their affidavits in reply within 120 days from today. Copies of the replies be served upon the Petitioner on the following e-mail address which is tendered by him in the Court :

Santoshupare1@gmail.com.

5. Rejoinder affidavit, if desired, to be filed within 30 days thereafter.

6. All office objections to be removed on or before 15th December, 2025, failing which, the Petition would stand dismissed without reference to the Court, on 16th December, 2025.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)