

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

INTERIM APPLICATION NO.12808 OF 2025

IN

INTERIM APPLICATION NO.12080 OF 2025

Tulsidas Nair

Applicant

versus

The State of Maharashtra through others

Respondents

Mr. Prosper D'souza i/by Mr. M.V. Holamagi for Applicant.

Mr. P.P. Kakade, Additional G.P with Ms. P.J. Gavhane, AGP for State.

Mr. Gaurav Shrivastav with Ms. Ravleen Sabharwal for Respondents 2 and 3 SRA

Mr. Mohit Sant for intervenor.

**CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.**

DATE: 4th November 2025

P.C.

1. This Interim Application is filed in the Writ Petition No.8304 of 2025, which was permitted to be withdrawn permitting the Petitioner-Applicant to avail of the appropriate remedy before the competent authority. We are informed that the Applicant has already approached the competent authority and there is an order passed by the competent authority not accepting the Applicant's appeal.

2. In this view of the matter, appropriate remedy for the Applicant-Petitioner would be to assail the order passed by the competent authority. In any event, considering the well settled principles of law by the Supreme Court in the case of **State of Uttar Pradesh Vs. Brahm Datta Sharma and another¹**, an interim application and that too for substantive reliefs would not be maintainable.

1(1987)2-SCC-179

3. This interim application cannot be entertained. It is accordingly disposed of with liberty to the Applicant-Petitioner to avail of appropriate remedy. All contentions of the parties on merits are expressly kept open.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)