

Amol

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO. 2151 OF 2025
WITH
WRIT PETITION (L) NO. 4599 OF 2025**

Gautam Sureshbhai Patel ...Petitioner

Versus

The Union of India & Ors ...Respondents

**Mr. Prakash Shah, Senior Advocate, with Ms. Jas Sanghavi,
i/b, PDS Legal, for the Petitioner.**

**Mr. Siddharth Chandrashekhar, Mr. Abhishek Mishra, for the
Respondents 1 & 3.**

**CORAM M.S. Sonak &
Advait M. Sethna, JJ.
DATED: 02 December 2025**

PC:-

- 1.** Heard learned Counsel for the parties.
- 2.** Writ Petition (L) No. 4599 of 2025 is not board. However, with the consent of learned Counsel for the parties, the same is taken on board.
- 3.** In Writ Petition No. 4599 of 2025, the Petitioner had complained about non furnish of certain documents and denial of opportunity to cross-examine the parties who had made statements in the adjudication proceedings.

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4. Before any orders could be passed in Writ Petition No. 4599 of 2025, the adjudication proceedings have concluded with the adjudicating authority passing an order in original dated 31 January 2025.

5. As against the impugned order in original, the Petitioner has a statutory remedy of instituting an Appeal. Such remedy is quite exhaustive and efficacious enabling the Petitioner to raise all contentions, including, contentions about alleged violation of the principles of natural justice and fair play.

6. On the aspect of denial of documents or opportunity for cross-examination, it will be necessary to determine whether the documents were indeed very relevant and form the basis of the impugned decision. The same applies to the statements of the parties in respect of whom cross-examination is said to have been denied.

7. This exercise can be best undertaken by the Appellate Authority. Since the Petitioner has a statutory and equally efficacious remedy available, we do not propose to entertain this Petition.

8. Writ Petition (L) No. 4599 of 2025 is by now rendered infructuous. However, both the Petitions can now be raised before the Appellate Authority. We are sure that the Appellate Authority will deal with them in accordance with law and on their own merits.

9. Mr. Sanghavi states that the Appeal will be filed within six weeks from the date of uploading of this order after complying with all prescribed legal formalities. If the Appeal is indeed filed within this period, the Appellate Authority

could decide such Appeal on its own merits without adverting to the issue limitation. This is because these Petitions were filed well within the limitation period prescribed for instituting an Appeal.

10. Accordingly, we dispose of both the Petitions by granting the Petitioners liberty in the above terms. No costs.

11. All concerned to act on an authenticated copy of this order.

(Advait M. Sethna, J)

(M.S. Sonak, J)