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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 7979 OF 2018

Maharashtra Suraksha Rakshak
Kamgar Union (INTUC) .. Petitioners
Vs.
The State of Maharashtra & ors. .. Respondents

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Shri Avinash R. Belge, Advocate for the Petitioners.
Shri S.G. Thakur I/by Mrs. Neeta V. Masurkar, Advocate for
Respondent No.3.
Ms. Lata Desai a/w. Ms. Pallavi Divekar I/b M/s. Divekar & Co.,
Advocate for Respondent No.2.
Shri R.D. Motkari, Advocate for Respondent No.4.
Shri B.V. Samant, AGP – Respondent No.1.

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**CORAM : R.M. SAVANT, &
M.S. KARNIK, JJ.**

DATE : 25th SEPTEMBER , 2018

P.C. :

The above Writ Petition has been filed for issuance of the directions to the Respondent No.2 – Nashik District Security Guards Board to implement Clause 8(e) of the Maharashtra Private Security Guards (Regulation of Employment and Welfare) Scheme, 2002. The second relief sought is to take penal action against the Respondent No.3 as per Clause 42 of the Security Guards Scheme, 2002. The third relief sought is to direct the Respondent No.3 to engage Security

Guards only through Respondent No.2 and the fourth relief sought is that the Respondent No.4 be restrained from supplying the Security Guards to the Respondent No.3 till final decision of this Petition.

2. Taking the last relief first, we are informed by the Learned Counsel appearing for the Respondent No.4 that the Respondent No.3 has issued a termination letter to the Respondent No. 4 terminating the contract for supply of the Guards from 15th October, 2018. Hence insofar as the said relief is concerned, the same would not survive for consideration in view of the aforesaid development.

3. Insofar as second last relief is concerned, it is for the Respondent Nos.2 and 3 to take an appropriate decision in that regard having regard to the mandate of the Act and the Scheme. Insofar as first two reliefs are concerned, it is for the Respondent No.1 to consider the matter objectively and thereafter take an appropriate action. We do not express any opinion in that regard.

4. With the directions as aforesaid, the Writ Petition is disposed of.

[M.S. KARNIK, J]

[R.M. SAVANT, J]