

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 9412 OF 2018**

**Jai Maharashtra Suraksha Rakshak
& Gen Kamgar Sanghatana & Ors**

..Petitioners

Vs.

**Security Guards Board for Greater Mumbai
& Thane District & Ors**

..Respondents

Mrs. Ranjana Todankar for the Petitioners

Mr. M. S. Topkar for the Respondent No.1

Mr. B. V. Samant AGP for the Respondent No.4

**Mr. S. K. Talsania Senior Advocate a/w Mr. Anindya Basarkod I/b M/s
Khaitan & Co. for the Respondent No.2**

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

DATE : 24th SEPTEMBER, 2018

P.C.

1 The above Writ Petition has been filed for reliefs by way of direction to the Respondent No.1 i.e. Security Guards Board for Greater Mumbai and Thane District to initiate action against the Respondent No.2 as per the provisions of clause 42 of the Security Guards Scheme 2002, for a direction to the Respondent No.2 to continue the services of the Security Guards listed at Exhibit A and for a direction against the Respondent No.2 that the Security Guards listed at Exhibit A to the Petition on priority basis be assigned to another establishment.

2 In so far as the first relief is concerned, it is for the Respondent

No.1 to consider objectively whether action is required to be taken against the Respondent No.2 under the provisions of the Act and the Scheme. We express no opinion in that regard.

In so far as second relief is concerned, it is not possible for us in our writ jurisdiction to issue such a direction against a private party as the Respondent No.2. It would be for the Petitioners to approach the Respondent No.1 if they have any grievance in that regard and it is for the Respondent No.1 to take appropriate action if it so deems fit.

In so far as third relief is concerned, our directions as aforesaid would also cover the said relief. It is for the Respondent No.1 to take cognizance of the representation if any that would be made by the Petitioners for them being assigned to another establishment.

3 With the observations as aforesaid, the Writ Petition is disposed of.

[M. S. KARNIK, J]

[R.M.SAVANT, J]

Digitally
signed by
Meera
Mahesh
Jadhav
Date:
2018.09.26
17:45:56
+0530