

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

WRIT PETITION NO.11596 OF 2018

Maharsashtra Pradesh Suraksha Rakshak And General Kamgar Sangathana	..Petitioners
Versus	
The State of Maharashtra and another	..Respondents

Mr. A. R. Belge, Advocate for the Petitioners.
Mrs. R. A. Salunkhe, AGP for Respondent No.1.
Mrs. Lata Desai a/w Ms. Neelam K. Singh I/by Divekar & Co.,
Advocate for Respondent No.2.

**CORAM : B. R. GAVAI &
N. J. JAMADAR, JJ.
DATE : 4th MARCH, 2019**

P.C.

1] The only prayer made in the Petition is for a direction to the Respondent No.2 – Board to consider the applications submitted by the Security Guards listed at “Exh.A” and on examining their applications in accordance with law and the scheme, grant them registration as provided under the Maharashtra Private Security Guard (Regulation of Employment and Welfare) Act, 1981. It is the contention of the Petitioners that the Respondents may not follow the directions issued by this Court in Writ Petition No.2939 of 2016 vide order dated 8th February 2017.

2] In the affidavit in reply filed on behalf of Respondent No.2, it is stated thus in paragraph Nos.5, 6 & 7 :-

“5. I say that there were certain technical glitches, and the on-line registration did not function smoothly. I say that a Writ Petition No.931 of 2018 was filed in his Honourable Court, wherein similar prayer for registration of security guards on off-line basis was made. In the course of hearing, the learned AGP informed this Honourable Court that the modality for making application for registration was sought to be devised and would be notified within a period of one month. This Honourable Court by Order dated 19th September 2018 disposed of the said Writ Petition recording the statement of the learned AGP. I say that the said portal started functioning in October 2018 as per the assurance of the State Government. Hereto annexed and marked **Exhibit “3”** is the copy of the Order dated 19th September 2018.

6. I say that the allegations against the Board that it is neglecting to consider the applications of the security guards listed in the Petition are false. I say that the on-line applications annexed at Exhibit E to the Petition, are made on 15/12/2017 on the old portal, and not the present portal. I say that the Petitioner has affirmed the present Petition on 18/12/2017, has served the Board on 15/10/2018 after nine months. The grievance of the Petitioner is therefore disingenuous.

7. I say that subsequently after the new portal started functioning, the Respondent No.2 has received applications from 127 security guards listed in Exhibit “A” to the Petition. I say that there are about 3014 applications pending, and the same will be considered according to their turn.”

3] In that view of the matter, we find that the grievance as raised in the Petition does not survive. Insofar as the contention of the Petitioners that the Respondents may not follow the directions of the Division Bench in Writ Petition No.2939 of 2016 is concerned, the said contention is without substance. The Respondents are bound to follow the directions issued by this Court. In the event, the directions are not followed, the Respondents would run the risk of facing the contempt petition.

4] In that view of the matter, nothing survives for adjudication in the present Petition. The Petition stands disposed of.

[N. J. JAMADAR, J.]

[B. R. GAVAI, J.]