

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (C) No. 1091 of 2020

M/s C.D.O. Securities and Public Helpline Service Through Its Manager Sandeep Shukla, S/o Shri Kemal Prasad Shukla, Aged About 38 Years, Address Rajkishor Nagar, Bilaspur, District Bilaspur Chhattisgarh.

---Petitioner(s)

Versus

1. Jila Sahkari Kendriya Bank Maryadit Bilaspur, Through its Chief Executive Officer, Jila Sahkari Kendriya Bank Maryadit, Bilaspur, Head Office, Bilaspur Chhattisgarh.
2. Chairman, Jila Sahkari Kendriya Bank Maryadit, Bilaspur Chhattisgarh.

---Respondents

For Petitioner	:	Shri C Jayant K Rao, Advocate.
For Respondents	:	Shri Prafull N Bharat and Shri Jitendra Shrivastava, Advocates.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26.05.2020

1. The challenge in the present writ petition is to the impugned order dated 06.05.2020 (Annexure P/1) whereby the respondent's Bank had directed the petitioner to provide valid license for private security services under the Private Security Agencies (Regulation) Act, 2005 (in short, the Act, 2005).
2. Perusal of records would show that the petitioner was granted security contract with the respondents w.e.f. 08.03.2019 to 07.03.2021. However, the petitioner's license under the aforesaid Act of 2005 got expired on 01.02.2020 thereafter till date the license has not been renewed. For the aforesaid reason, the respondents had given couple of opportunity to the petitioner to provide security license failing which the services of the petitioner has been terminated.
3. Today, learned counsel for the respondents-Bank submits that after termination of the services of the petitioner, they have subsequently vide

order dated 20.05.2020 given the security contract to another security agency by the name M/s Bundela Securities and Consultants Pvt. Ltd.

4. Given the aforesaid facts, particularly the fact that the license of the petitioner got expired about 1 and ½ months prior to the lock down was given effect to in the State and also taking note of the fact that the respondents have already given contract to another security agency w.e.f. 20.05.2020, the only remedy which now is available to the petitioner is to first get a valid license under the aforesaid Act of 2005 at the earliest. That, thereafter, if at all, if the petitioner thinks fit, he may approach the respondent-Bank for reconsidering granting of the contract to the petitioner against the agreement which was executed with the petitioner which otherwise was valid up till 07.03.2021, subject to the petitioner's complying with the conditions therein.
5. If the petitioner is able to obtain such a license, he would be at liberty to approach the respondent-Bank for reconsidering his claim for granting of the contract for the remaining part of the agreement which was there in force till 07.03.2021. The respondent-Bank, in turn, may consider the aforesaid request of the petitioner in accordance with rules governing the field.
6. With the aforesaid liberty, the writ petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

inder