

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

64 WRIT PETITION NO.7201 OF 2023

M/S NEW TOP INDUSTRIAL PROTECTION SECURITY GROUP
THROUGH ITS PROPRIETOR
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND
ANOTHER

Mr.N.P.Patil Jamalpurkar, Advocate for the Petitioner.
Mr.P.K.Lakhotiya, AGP for the Respondent / State.

(CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.)

DATE : JULY 3, 2023

PER COURT :

1. The Petitioner is an Industrial Protection Security Group, having business all over the State. It is a proprietary firm , which is providing security staff to the Industrial units, co-operative bodies and Government entities. By this petition, the Petitioner has put forth prayer clause 'B' as under :-

"B. The Respondent No. 2 may please be directed to forthwith pay the amount of Rs. 38,48,8000/- towards 20 Security Guards provided by the petitioner for the period from 02.11.2012 to 30.04.2015 with 12% interest thereon w.e.f. 02.12.2012 as per the sanction accorded by the Standing Committee of Latur Municipal Corporation under Resolution

dated 20.11.2015, by issuing writ of mandamus or any other appropriate writ, order or direction in the nature of writ of mandamus."

2. The learned AGP submits that the writ of mandamus of this Court cannot be pressed into service for the purpose of recovery of certain dues of the Petitioner purportedly payable by the Municipal Corporation. The learned Advocate for the Petitioner points out a typed copy of a Resolution dated 20.11.2015 purportedly passed by the Standing Committee of the Municipal Corporation in which it is resolved that the Petitioner should be paid Rs.7,400/- p.m. per guard.

3. This Court cannot exercise its writ jurisdiction for recovery of outstanding bills of a private security agency. The Petitioner has to avail of a statutory remedy as may be permissible in Law.

4. In view of the above we would not entertain this petition and **the same is, therefore disposed off.**

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)