

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

18 WRIT PETITION NO.12652 OF 2023

KRANTI JYOT KAMGAR SANGHATANA THROUGH IT'S PRESIDENT MR
DIPAK THORAT
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
ANOTHER

Mr.U.V.Khonde, Advocate for the Petitioner.
Mr.S.K.Tambe, AGP for the Respondent No.1/State.
Mr.Y.I.Thole, Advocate for Respondent No.2.

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

DATE : OCTOBER 30, 2023

PER COURT :

1. Heard the learned Advocates for the respective sides.
Perused the affidavit in reply filed by the Chairman, Aurangabad
District Security Guard Board dated 30.10.2023.

2. There is no dispute that the Board has to follow a
particular procedure under the Act and the Rules, while registering the
candidates. Physical fitness of each of the applying person has to be
tested. Police verification is required and the reports submitted by the

Police with regard to the antecedents and the character of each candidate, have to be given due weightage. Though this may appear to be a short exercise, it is time consuming since the Security Guards Board does not have its own infrastructure and man power to conduct physical fitness of candidates. So also, at times, the police verification reports are generated only after the police authorities complete the exercise. Therefore, the learned advocate for the board submits that putting the Board under a timeline, will expose the Board to contempt proceedings in this Court since some of the activities are beyond the control of the Board.

3. Considering the above submissions, **this Petition is disposed off.** Let the concerned Board deal with each candidate in accordance with the procedure to be followed and the parameters that are to be applied. The exercise of conducting physical fitness and calling for the police reports / verification reports, be conducted expeditiously.

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)