

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

WRIT PETITION NO. 4748 OF 2022

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G4S Secure Solutions (India)
Pvt. Ltd.
VS.

..Petitioner

1. State of Maharashtra
2. Security Guard Board

Greater Mumbai and Thane District

..Respondents

Dr. Abhinav Chandrachud a/w Mr. Digajmaan G. Mishra i/b Yashmaan Mishra, Anil Tiwari, Aayushya Aankul, Shweta Bharti, Shantanu Malik, Akshata Sharma, Jaskaran Narula, Mangesh Bhende, Khushboo Dilloud, Sunita Vishwakarma, Suraj Vishwakarma and Saraswati Shivhare from Hammurabi & Solomon Partners, Mumbai, for the Petitioner.

Mr. M.M. Pabale, AGP for State – Respondent No.1.

Mr. Amardev J. Uniyal, for Respondent No.2.

**CORAM : S.V. GANGAPURWALA, ACJ &
SANDEEP V. MARNE, J.**

DATED : MARCH 8, 2023

P.C. :

1. The petitioner seeks direction restraining the respondent-Board from writing any letters to any of the petitioner's clients and/or its business partners/associates/affiliates without following the due process of law qua the petitioner company.

2. It is the learned counsel for the petitioner and learned

counsel for the respondent are *ad idem* that subsequent to the filing of the petition, no dispute survives about the payment of levy and surcharge as claimed in the petition.

3. The only anxiety of the petitioner it appears is that the letters are written by the respondent-Board to the principal employer viz. clients of the petitioner for payment of 10% surcharge and 3% levy.

4. The respondent-Board can certainly resort to the provisions of the Private Security Guards (Regulation of Employment & Welfare) Scheme, 2002 (for short, "the Scheme, 2002") in a manner as laid down under the same.

5. The respondent-Board may not directly claim the amount of levy and surcharge from the principal employer of the petitioner without ascertaining and adhering to the procedure as contemplated under the Scheme, 2002.

6. With these observations, the writ petition is disposed of. No costs.

(SANDEEP V. MARNE, J)

(ACTING CHIEF JUSTICE)