

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

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**WRIT PETITION NO. 10431 OF 2025**

Pune District Suraksha  
Rakshak and General Kamgar  
Union Thr Chairman ... Petitioner  
Versus  
The State of Maharashtra Thr  
The Deputy Secretary And Ors. ... Respondents

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Mr. Shreyas Darsawade (Through VC) a/w Mr. Devesh Suralkar, Mr.  
Saif Kaxmi, Advocates for Petitioner.  
Mr. Saket Mane, 'B' Panel Counsel, Advocate for Respondent.  
Dr. Pallavi Divekar a/w Ms. Aishwarya Shetty i/b Divekar & Co.,  
Advocates for Respondent No 2.

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**CORAM : RAVINDRA V. GHUGE AND  
ASHWIN D. BHOBE, JJ.**

**DATE : 19<sup>th</sup> SEPTEMBER, 2025**

**P.C. :**

1. Rule. Rule made returnable forthwith and heard finally with  
the consent of the parties.

2. The Petitioner-Union has put forth prayer clause (a), which  
is the sole substantive prayer, as under :-

*“a) That this Hon'ble Court be pleased to exercise the powers vested  
in it under Article 226 of the Constitution of India and issue a Writ of  
Mandamus, or any other order, direction, directing the Respondent  
no. 2, Board to consider the application submitted offline by the*

*security Guards at Exhibit "A" and on examining their application 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 and Scheme”.*

3. The grievance of the Petitioner has cropped up, due to the shutting down of the portal by the Pune District Security Guards Board under a purported order of the Labour Commissioner, State of Maharashtra, dated 17/04/2023. Grievance is that, ever-since the said order, the portal has not been opened.

4. The learned AGP points out that when the portal was opened and Applications started flowing in, various boards started scrutinizing those Applications and finally, speaking to the extent of Respondent No.2, on instructions, a wait-list of 1745 candidates accumulated with Respondent No.2.

5. Respondent No.2 has preferred an affidavit-in-reply dated 17/09/2025, through Shri Prashant Vanjari, Secretary of the Pune District Security Guards Board, Pune.

6. This Court has passed an order on 4<sup>th</sup> March, 2019 in Writ Petition No. 11596 of 2018 (Maharashtra Pradesh Suraksha Rakshak and General Kamgar Sangathana Vs. The State of Maharashtra and another).

The said order is based on the contents of the affidavit of the Board. We deem it appropriate to reproduce the said order:-

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.*

7. The grievance of the Petitioner is that Respondent No.2 Pune Board has not opened its portal ever since April, 2023. The Petitioner Union is similarly placed with the Union which had preferred Writ Petition No.11596 of 2018. It has tendered a compilation of 22 documents, which is collectively marked as 'X' for identification. It's Registration Certificate No.3833, is at page No.1. The reason for approaching the Court is that there are many candidates, who keep approaching the Union inquiring about the opening of the portal.

8. The present Union had approached this Court in Writ Petition No. 624 of 2023. By an order dated 06/02/2023, this Court directed that the Board should consider the Applications on their own merits, in accordance with the law and in the light of the directions set out in the order dated 08/02/2017 passed in Writ Petition No. 2939 of 2016 (Pune District Suraksha Rakshak and General Kamgar Union Vs. State of Maharashtra and Ors.).

9. We have no doubt that several Boards in the State of Maharashtra have a long wait-list of candidates, who desire to be registered as security guards. The wait-lists, as pointed out by Respondent No.2, in its case have touched 1745 Applicants, is ever growing. The situation must be grim with many other Boards. However, we are not convinced by the logic that because the wait-lists have grown, the Board would refuse to open its portal.

10. We cannot be oblivious to the fact that if the portal is kept closed for years together and offline Applications are refused to be entertained, many of the Applicants who may be eligible to apply today, may be rendered ineligible on account of primarily, the condition of age, whenever the portal may open after a few years,. They, at least, have some hope if their Applications are scrutinized and, if cleared, they would enter the wait-list. As and when they may get an opportunity through a call letter, they would be able to get a job.

11. People rest on hope and sometimes hope keeps people waiting in anticipation of securing a job. If every authority or body decides to shut down its portals, the young generation of this country, who are desperately seeking and searching for jobs, will face a difficult

situation, even a psychological problem. They, at least, would rest on hope that they have applied for a job and someday would get a call for employment.

12. In view of the above, the communication, which was not with the Petitioner, dated 17/04/2023, which is placed on record by the Board vide the affidavit-in-reply, would not stand the test of judicial scrutiny, in the light of the order of this Court dated 04/03/2019. We, therefore, declare the said communication to be inoperable.

13. For the present, keeping this issue open, We direct the State Government to ensure that the said portals all over the State shall be reopened to receive online Applications for registration of the candidates as security guards. Such portals should be made operable for at least one full month in each year to enable the candidates to make their Applications. We are issuing this direction, in view of the changing situation and the circumstances that each of the District Boards are accumulating a huge number of wait-listed candidates, despite in the absence of vacancies.

14. We leave it to the State Government to decide within a period of 30 days from today, as to, in which month of the year would the portals be opened. It should give a wide publicity whenever the said portal is opened for 1 full month.

15. With the above directions, the **Writ Petition is disposed off.**

**(ASHWIN D. BHOBE, J.)**

**(RAVINDRA V. GHUGE, J.)**