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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 17613 OF 2024
WITH
INTERIM APPLICATION NO.13320 OF 2025

Krantikari Suraksha Rakshak
Sanghatana ... Petitioners
V/s.
J. M. Financial Property and Holding Ltd
and Others ... Respondents

WITH
INTERIM APPLICATION NO.13320 OF 2025

Krantikari Suraksha Rakshak
Sanghatana ... Applicant
In the matter of
Krantikari Suraksha Rakshak
Sanghatana ... Petitioners
V/s.
J. M. Financial Property and Holding Ltd
and Others ... Respondents

Mr. S. N. Pillai with Avadhesh Kumar S. for Petitioner.

Ms. Kavita N. Solunkhe, Additional GP with Mr. S. L.
Babar, AGP for State- Respondent.

Mr. Rahul Nerlekar, for Respondent no. 1.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 20, 2026

P.C.:

INTERIM APPLICATION NO.13320 OF 2025

1. The applicant has challenged the order dated 21 June 2025 passed by the Industrial Court. For assailing the said order, the proper course available to the applicant is to institute a substantive petition in accordance with law.
2. An Interim Application seeking to challenge an order passed by a subordinate Court is not maintainable. The remedy, if any, lies in filing an independent petition invoking the appropriate jurisdiction of this Court.
3. Accordingly, all issues and contentions raised in the present Interim Application are kept open to be considered and adjudicated in appropriate proceedings.
4. The applicant shall, therefore, file an independent petition challenging the order passed by the subordinate Court. The questions raised in the Interim Application shall remain open for consideration in such petition.
5. Hence, the Interim Application is disposed of.

WRIT PETITION NO. 17613 OF 2024

6. The challenge in the present petition arises from the order passed by the Industrial Court rejecting an interlocutory application moved by the petitioner for production of certain documents. The documents sought were exemption certificates

allegedly issued in favour of M/s. Top Security Ltd or its security guards, granting exemption from the provisions of the Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, 1981.

7. The petitioner contended that these documents were necessary for proper adjudication of the dispute and that their production would assist the Court in determining the nature of employment and the applicability of the statutory scheme.

8. The Industrial Court, however, declined the request. While doing so, it recorded that the documents sought were not relevant to the controversy involved between the parties. The Court considered the pleadings and the issues framed, and formed a view that the exemption certificates, even if existing, would not materially affect the adjudication of the dispute concerning M/s. J. M. Financial Property and Holding Ltd. The rejection therefore rests on an assessment of relevance, which falls within the discretion of the adjudicating authority while regulating interlocutory proceedings.

9. At the same time, an additional aspect deserves consideration. The documents sought by the petitioner are in the nature of public documents, issued by a statutory authority or government department. Such documents are ordinarily accessible through appropriate legal procedure, including an application made to the concerned department or authority maintaining official records. When a document is publicly

available through an independent statutory mechanism, the Court is justified in expecting a party to adopt that course rather than compelling production through interlocutory directions against another party. The procedural law does not require the Court to invoke coercive processes where an alternative and equally effective method of obtaining the material exists. This aspect further supports the view that refusal to direct production does not result in prejudice of such a nature as would warrant interference in supervisory jurisdiction.

10. In view of the above, the reasons assigned by the Industrial Court cannot be said to suffer from perversity or patent illegality. The Court has applied its mind to the question of relevance and has exercised jurisdiction vested in it while dealing with an interlocutory request. Mere disagreement with such an assessment does not justify interference under writ jurisdiction, particularly when no failure of justice is demonstrated. The order does not disclose arbitrariness or refusal to exercise jurisdiction. On the contrary, it reflects a plausible view based on the material placed before the Court.

11. Therefore, no case is made out for interference. The petition does not merit admission and stands dismissed.

(AMIT BORKAR, J.)