

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3881 OF 2026

Rani Atul Dhawale & Ors. ...Petitioners

Vs.

The State of Maharashtra the
Deputy Secretary & Ors. ...Respondents

AND

WRIT PETITION NO. 3821 OF 2026 (NOB)

Dattatray Kisan Karande & Ors. ...Petitioners

Vs.

The State of Maharashtra & Ors. ...Respondents

Mr. Avinash Belge for the Petitioners.

Mr. Yatin Khochare "B" Panel Counsel for Respondent No.1-State.

**CORAM : R. I. CHAGLA AND
ADVAIT M. SETHNA, JJ.**

DATED : 26TH MARCH, 2026

P.C.:-

1. By these Writ Petitions, the Petitioners are impugning order dated 27 February 2026 which has been issued by Respondent No.4-Inspector on the ground that under Clause 32(4) of The Maharashtra Private Security Guards (Regulation of Employment and Welfare) Scheme, 2002 ("**the said Scheme**") framed under The Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, 1981 the power is to be exercised by the Chairman and not by Respondent No.4-Inspector.

2. Learned counsel for the Petitioners has circulated the Petition on the ground of urgency in view of the impugned order dated 27 February 2026

having given one month's notice under Clause 32(4)(d) upon which the Petitioners' services will be terminated. The said one month's period is expiring tomorrow.

3. Learned counsel for the Petitioners states that the Respondents have been served and he has tendered notice dated 24 March 2026 wherein there is acknowledgment of Respondent No.2-Board. The said notice is taken on record and marked 'X' for identification. The Petitioners shall file an affidavit of service by tomorrow.

4. We find that a *prima facie* case has been made out by the Petitioners for grant of *ad interim* relief, particularly having perused Clause 32(4) of the said Scheme under which, specifically, the Chairman has the power to impose penalty including major penalties such as termination of service. However, the impugned order, instead of the Chairman, has been passed by Respondent No.4-Inspector under Clause 32(4)(d) of the said Scheme.

5. In view thereof, we direct the Respondents not to give effect to the impugned order dated 27 February 2026 till the next date.

6. Place the Writ Petitions for further consideration on **10 April 2026**.

[ADVAIT M. SETHNA, J.]

[R.I. CHAGLA, J.]