

SUPREME COURT OF INDIA  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).8269/2006

(From the judgement and order dated 21/06/2005 in WP No. 8847/2004 & RP No. 18562/2005 of The HIGH COURT OF BOMBAY)

NATIONAL AIDS RESEARCH INSTITUTE

Petitioner(s)

VERSUS

MAHARASHTRA RAJYA S.R.G.K.UNION & ORS.

Respondent(s)

(With prayer for interim relief and office report )

Date: 18/08/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT  
HON'BLE DR. JUSTICE MUKUNDAKAM SHARMA

For Petitioner(s)

Mr. V.K. Rao, Adv.  
Mr. Saket Sikri, Adv.  
Ms. Madhu Sikri, Adv.

For Respondent(s)

Ms. Lata Desai, Adv.  
Ms. Neelam Kalsi, Adv.  
Mr. Shailendra Narayan Singh, Adv.  
Mr. Vimal Chandra S. Dave, Adv.

UPON hearing counsel the Court made the following  
ORDER

Leave granted.  
The appeal is disposed of in terms of the signed order.

(Sukhbir Paul Kaur)  
Court Master

(Vijay Aggarwal)  
Assistant Registrar

(Signed Order is placed on the file)  
IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5090 OF 2008  
(Arising out of SLP(C) No.8269 of 2006)

NATIONAL AIDS RESEARCH INSTITUTE

Appellant(s)

Versus

MAHARASHTRA RAJYA S.R.G.K. UNION & ORS.

Respondent(s)

ORDER

We have heard learned counsel for the parties.

Leave granted.

Having regard to the facts and circumstances of the case, we are satisfied that this is a case where the High Court was required to first decide the issue as to whether the appellant is covered by the Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, 1981. Only if it is so held, the question of applicability of Section 5 of the Act shall arise.

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Accordingly, we set aside the order of the High Court and remit the matter to it to deal with the aforesaid issues afresh.

The appeal is accordingly, disposed of without any order as to costs.

.....J.  
(Dr.ARIJIT PASAYAT)

.....J.  
(Dr.MUKUNDAKAM SHARMA)

New Delhi,  
August 18, 2008