

SUPREME COURT OF INDIA
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).3397/2007
(From the judgement and order dated 06/02/2007 in WP No. 360/2005 of The
HIGH COURT OF BOMBAY)

M/S MARSHAL GROUP

Petitioner(s)

VERSUS

MAHARASHTRA SURAKSHA RAKSHAK AGHD.& ORS.

Respondent(s)

(With prayer for interim relief and office report)

Date: 18/01/2008 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR
HON'BLE MR. JUSTICE J.M. PANCHAL

For Petitioner(s) Ms. Gouri Karuna Das, Adv.
Ms. Anu Gupta, Adv.
Mr. Sanjay Mani Tripathi, Adv.
Mr. Kamal Kant Tripathi, Adv.
Mr. Rameshwar Prasad Goyal, Adv.

For Respondent(s) Mr. Shekhar Napahde, Sr. Adv.
R1. Mr. Uday B.Dube, Adv.
Mr. Kuldip Singh, Adv.
Mr. V.B. Joshi, Adv.
Mr. Ravi Kini, Adv.
Mr. Krishan Kumar, Adv.
Mr. Kailash Pandey, Adv.

R2. Mrs. Lata Desai, Adv.
Mrs. Pallavi Divekar, Adv.
Mr. Shailendra Narayan Singh, Adv.
Mr. Vimal Chandra S. Dave, Adv.

Contd..2/-

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UPON hearing counsel the Court made the following
ORDER

In this special leave petition which has been taken up at the stage of admission itself, the petitioners have challenged the order dated 6th February, 2007 passed by the Bombay High Court in relation to a Notification dated 23/01/2004 issued by the Industries, Energy and Labour Department Mantralaya, Mumbai, under Section 23 of the Maharashtra Private Security Guards (Regulation of Employment and Welfare) Act, 1981, granting exemption to the petitioners herein from the operation of the provisions of the said Act. The said exemption was granted for a period of three years, which has since lapsed. Accordingly, the special leave petition has been rendered infructuous by lapse of time.

We are informed that a further application has been filed by the petitioners with the State Government for similar exemption under Section 23 of the above Act and the same is pending. While disposing of this petition, we direct the State Government to dispose of the said application expeditiously, but positively within a period of two months from the date of receipt of this order. As far as the principal employer is concerned, it shall be at liberty to engage security guards in accordance with the provisions of the above Act, if they so choose. There shall be no orders as to costs.

(Sheetal Dhingra)
Court Master

(Radha R. Bhatia)
Court Master