



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

1035 CRIMINAL SUO-MOTO PUBLIC INTEREST LITIGATION NO. 1 OF 2024

Through Amicus Curiae
VERSUS
The Union Of India And Others

.....

Mr. Aniruddha A. Nimbalkar, Amicus Curiae for Petitioner
Mr. A.G. Talhar, DSGI for Respondents No.1 and 2
Mr. A.B. Girase, Government Pleader for Respondents No.3 and 4
Mr. D.P. Palodkar, Advocate for Respondent No.5

.....

**CORAM : SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

DATE : 05 FEBRUARY, 2026

PER COURT :-

1. In view of our order dated 16.01.2026, learned Government Pleader is producing the affidavit-in-reply of Mr. Anup Kumar Singh, Principal Secretary (Special), Home Department, Government of Maharashtra. We make it clear that the said affidavit is not as per our expectation. We had started our order by recording that there was no compliance of our order dated 19.12.2025; therefore, submissions ought to have been advanced in the light of paragraphs 6, 7, and 9 of the order dated 19.12.2025. We may give the said department one more chance.

{2}

2. Learned advocate Mr. Palodkar, appearing for respondent No.5, has filed an affidavit-in-reply of Mr. S.P. Naik-Nimbalkar, Officer on Special Duty (Legal and Research), High Court, Bombay, wherein it is stated that meetings were convened with the Maharashtra Security Force (MSF) and a detailed security survey has been directed to be conducted for deployment of additional MSF personnel at the Principal Seat. It is further stated that upon receipt of the said survey report, the same shall be submitted after obtaining the necessary permissions. As regards this Bench is concerned, the entire exercise is over and taking into consideration the old building of this Bench, Annex building, residential premises and the under Construction G+10 residential tower i.e. future requirement also was carried out. The security assessment that has been made is of 350 personnel. At present, the sanctioned strength is 350 police personnel, out of which only 136 are available, resulting in a deficit of 214 personnel. Therefore, there is a necessity for engagement of additional security personnel through the Maharashtra State Security Corporation. As regards the Bench at Nagpur, the details are not given in the affidavit. As regards the Circuit Bench at Kolhapur, the existing deployment has been indicated; however, the exact figures regarding the requirement of additional security personnel are not forthcoming from the said affidavit. It has been stated that the Bench-wise assessment figures received are being examined and consolidated

{3}

at Principal Seat and in accordance with the Government Resolution dated 03.12.2025 and the directions of this Court for obtaining sanction and for taking further steps for the execution of the requisite contract with Maharashtra State Security Corporation (MSSC), further steps are being initiated.

4. We want to harp upon the fact, which we have already recorded in our order, that in the communication dated 03.12.2025, the Desk Officer of the Law and Judiciary Department has made it clear that, in the meeting of the Hon'ble Ministers held on 18.11.2025, approval was accorded for deployment of a total of 283 personnel at the Principal Seat and the Benches, and 98 personnel for residential premises, i.e. a total of 381 personnel, for which an amount of Rs.15,00,00,000/- has been made available. Therefore, in order to get this contract finalized for deployment of at least 381 personnel, immediate action is required, as the funds have been made available only for the current financial year. Accordingly, we direct the Registrar General to immediately take up the matter with the State Government and ensure that the said contract is finalized and the 381 personnel are deployed at the earliest. He may thereafter decide the number of personnel to be assigned to the Principal Seat and the Benches, and, if any personnel remain out of the sanctioned strength of 381, the same may be proposed to be taken into

{4}

account in the budget for the next financial year. We expect that the aforesaid exercise be completed immediately i.e. before the end of February 2026.

5. The learned Government Pleader makes a statement that, insofar as the affidavit of the Chief Secretary, Government of Maharashtra is concerned, he seeks accommodation.

6. As per the Government Resolution dated 03.12.2025, in-principle sanction has been accorded for an amount of Rs. 443,24,84,560/- for providing security personnel to the extent of 8282 personnel, and it was decided that the orders of this Court and the security arrangements would be implemented in three stages; first, for this Court; secondly, for the District Courts and other Courts at Headquarters; and thirdly, for the Taluka Courts. We reiterate that, insofar as regards the security is concerned, the matter cannot be kept in the dark for months together. We had given the facility of spreading the requirement of security personnel in three stages, taking into consideration the actual requirement and the budgetary allocations. Now, for this year, the budget would be presented in the near future and we expect that the Government will keep its word by making a budgetary allocation for the entire amount and that it would implement the second and the third stage within the next financial year; but there

{5}

has to be a word on oath from the Government for that purpose, and therefore, we call upon the Chief Secretary, Government of Maharashtra, to make a statement on oath as to when the second and the third stage would be implemented.

7. As regards the further affidavit on behalf of respondents No.4 and 5, we adjourn the matter. Such affidavits informing the compliance and the future plan as aforesaid be filed within period of two weeks from today.

8. Place the matter for further consideration on 23.02.2026.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

S P Rane