

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

***CIVIL APPLICATION NO.3503 OF 2015
IN
FIRST APPEAL NO.1149 OF 2015***

Bombay Gymkhana Ltd. .. Applicant
Vs.
Regional Director,
ESI Corporation .. Respondent

Mr.S.C. Naidu a/w Mr.Aniketh Poojari i/by M/s.C.R. Naidu & Co. for
the applicant.
Mr.H.V. Mehta for the respondent.

***CORAM : R.D. DHANUKA, J.
DATE : 11th January 2016***

P.C.

. Rule, returnable forthwith. Mr.Mehta, learned counsel for
the respondent waives service.

2. Heard learned counsel appearing for the parties.

3. There shall be interim relief in terms of prayer clause (a) of
the civil application on the condition that the applicant deposits with the
respondent a sum of Rs.16,26,127.91 without prejudice to the rights and
contentions of both the parties within four weeks from today. Applicant
has already renewed the bank guarantee of Rs.6 lacs till 9th December
2016 and shall renew the same during the pendency of this appeal.

4. The respondent is allowed to appropriate the amount
deposited by the applicant without prejudice to the rights and contentions
of both the parties and shall return the said amount with interest at such

rate as directed by this Court in the event of the applicant succeeding in this appeal.

4. Civil application is disposed of in aforesaid terms. No order as to costs.

R.D. DHANUKA, J.