

Sarnobat

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

CRIMINAL APPEAL NO. 373 OF 1999

Employees State Insurance
Corporation.

.. Appellant.

Vs.

Lakshmandas Narottamdas Shaha,
& Anr.

.. Respondents.

Mr. H.V. Mehta, Advocate for the Appellant.

Mr. Satyajeet Shirke I/b Uday Warunjikar, for the Respondent No.1.

Mr. S. R. Shinde, APP for the State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 11th OCTOBER, 2017.

P. C. :

1. This appeal is filed by the Employees State Insurance Corporation against the order of acquittal of the Respondent-accused. The respondent No. 2 is a proprietary concern of which the respondent No. 1 was the proprietor. The respondent No. 1 has already expired. Hence, the proceeding do not survive. The proceedings are therefore, closed as abated.

2. The learned counsel for the appellant submits that, this being the matter under Employees State Insurance Act, the appellant is entitled to recover the dues as permissible under the Law. Needless to

state that no further order in this regard is warranted as the appellant can always file appropriate proceedings, if permissible under the Law.

4. In the light of the above, the appeal is dismissed as abated.

[ANUJA PRABHUDESSAI, J]