

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

FIRST APPEAL (ST) NO.3860 OF 2001

Employees State Insurance
Corporation

..Appellant

V/s.

M/s.Chimansa Yamasa Kshatriya

..Respondent

Mr.Vinay Dubey a/w Mr.P.M. Palshikar i/by Mr.H.V. Mehta for
the Appellant.

Mr.Akshay Petkar for the Respondent.

CORAM : M. S. SONAK, J.

DATE : 17 JANUARY 2017.

P.C.

1. The delay in institution of the appeal has already
been condoned.

2. Mr.Vinay the learned counsel for the appellant says
that the amount of cost is paid.

3. Heard Mr.Vinay Dubey for the appellant. The
appeal is admitted on the following substantial question of
law :-

a) Whether, the respondents can claim exclusion from the coverage from the Employees State Insurance Act, 1948 which is a special legislation, inter-alia on the ground that their establishment is allegedly covered under the Beedi Workers Welfare Act, 1966 ?

4. The appellants to file private paper book within a period of six months from today, since, this is an appeal of the year 2001. In case of default, this appeal shall stand dismissed for non-prosecution.

5. Mr.Akshay Petkar waives notice for the respondents. Mr.Dube the learned counsel for the appellant undertakes to supply to Mr.Petkar copy of appeal memo and impugned order within a period of two weeks from today. Further, Mr.Dube also undertakes to furnish Mr.Petkar copy of the private paper book within a period of six months from today.

(M. S. SONAK, J.)