IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8944 OF 2015

M/s. Autobahn Enterprises Pvt. Ltd. …Petitioner
Versus

The Regional Director (Appellate Authority), Employee State Insurance Corporation (ESIC) & Anr. ...Respondents

…..

Mr. D.R. Singh for the Petitioner.
Mr. S.S. Pathak for the Respondent Nos.1 and 2.

CORAM : RANJIT MORE AND
SMT. ANUJA PRABHUDESSAI, JJ.

DATED: 2nd JULY, 2018.

P.C.:-

The learned counsel for the Respondent Nos.1 and 2 raises a preliminary objection regarding maintainability of the petition. He invited our attention to Section 77 of the Employees State Insurance Act, 1948 and submitted that the petitioner can raise dispute by filing proceedings under Section 75 of the Employees State Insurance Act, 1948.

2. In the light of above submission, the learned counsel for the Petitioner seeks leave to withdraw the petition with liberty to approach

Employee State Insurance Corporation by filing appropriate proceedings. Leave with liberty as prayed for is granted.

3. The writ petition is dismissed as withdrawn.

4. It is made clear that we have not gone into the merits of the matter and all points and contentions of the respective parties are kept expressly open to be decided by the Employees State Insurance Corporation, independently on its own merit and in accordance with law.

(SMT. ANUJA PRABHUDESSAI, J.) **(RANJIT MORE, J.)**