

FMA 721 of 2019
With
I.A. No.CAN 1 of 2019 (Old CAN 4412 of 2019)

M/s. Universal Construction Co.
Vs.
Employees' State Insurance Corporation Ltd. & ors.

Mr. R. N. Majumdar.	
Mr. S. M. Obaidullah	.. for the appellant.
Mr. Soumitra Banerjee	... for respondents.

This intra-Court mandamus appeal is directed against an order dated 15th March, 2019 passed by the learned Single Bench refusing to grant an order of interim stay of the orders passed by the respondents / ESI Corporation. The appeal has been filed and has been pending since, 2019 and till date no interim order has been granted in this appeal. At this juncture, we do not propose to pass any interim order for the reason that in terms of the directions of the learned Single Bench dated 15th March, 2019, liberty was granted to the respondents/ESI Corporation to file affidavit-in-opposition and writ petitioner / appellant was also given liberty to file reply, if any.

Learned counsel for the respondents / ESI Corporation submitted that the affidavit-in-opposition is ready and it will be served on the learned

counsel for the writ petitioner within one week from date and the appellant / writ petitioner will be entitled to file a reply within two weeks from the date of receipt of the affidavit-in-opposition.

Therefore, we dispose of this appeal and the connected application by requesting the Learned Single Bench to take up the writ petition at the earliest, preferably by the end of January, 2022.

Urgent photostat certified copy of this order, if applied for, be given to the parties expeditiously upon compliance of all legal formalities.

(T. S. Sivagnanam, J.)

(Hiranmay Bhattacharyya, J.)