



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Civil Appellate Jurisdiction)

Friday, the Fifth day of February Two Thousand and Twenty One

WEB COPY

PRESENT

The Hon'ble Mrs.Justice J.NISHA BANU

CMP(MD) No.5541 of 2020

in

CMA(MD) SR No.10412 of 2020

THE EMPLOYEES STATE INSURANCE CORPORATION
BY ITS JOINT REGIONAL DIRECTOR
SUB-REGIONAL OFFICE,
TALLAKULAM, MADURAI - 20.

... PETITIONER/APPELLANT

Vs

M/S.SIVARAJ SPINNING MILLS PVT LTD.,
KIRIYAMPATTI THADICOMBU,
DINDIGUL DISTRICT.
REP. BY ITS CHIEF GENERAL MANAGER.

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to condone the delay of 62 days in filing the appeal against the order dated 27-08-2019 in ESIOP No. 61 of 2011 on the file of the Labour court, Madurai.

Prayer in CMA(MD) SR No.10412 of 2020:

Civil Miscellaneous Appeal filed may be pleased to set aside the order dated 27.08.2019, passed by the ESI Court (i.e., Labour Court), Madurai in ESI OP No.61 of 2011, permit the appellant to charge interest, as claimed in the communication dated 22.07.2011 as permissible under law and allow this Civil Miscellaneous Appeal with necessary directions in favour of the appellant.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.R.RAVINDRAN, Advocate for the petitioner and of Mr.M.ELANCHEZHIAN, Advocate on behalf of the Respondent, the Court made the following order:-

This petition has been filed by the petitioner seeking to condone the delay of 62 days in filing the above Civil Miscellaneous Appeal.



2.Considering the reasons stated in the affidavit filed in support of the petition and also considering the length of delay, this Court is inclined to condone the delay subject to the payment of cost of Rs.500/- (Rupees Five Hundred only) to the Legal Services Committee, attached to this Bench, within a period of two weeks from the date of receipt of a copy of this order, failing which this petition shall stand dismissed automatically without any further reference to this Court.

3.This petition is accordingly ordered.

4.In the event of payment of cost, the Registry is directed to number the appeal, if it is otherwise in order and list the same "for admission" forthwith.

sd/-
05/02/2021

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/ /2021
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE JUDGE,
ESI COURT(i.e., LABOUR COURT),
MADURAI.

COPY TO:
THE OFFICER INCHARGE,
LEGAL SERVICES COMMITTEE,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CMP(MD) No.5541 of 2020 in
CMA(MD) SR No.10412 of 2020
Date :05/02/2021

PKN
SRS/JC/SAR-III/10.02.2021/2P/3C