



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.9655 OF 2022**

Chaudhari Hidayatulla Zaifalla ... Petitioner
versus
The Union Territory Daman and Diu and Anr. ... Respondents

Mr. Prayag Joshi i/by Joshi Law Associates, for Petitioner.
Mr. Arsh Mishra for Respondent No.2.

CORAM : N.J.JAMADAR, J.

DATE : 25 JULY 2023

P.C. :

1. Heard the learned Counsel for the parties.
2. The learned Counsel for the Respondent No.2 raised a preliminary objection as to the maintainability of the Petition in view of the efficacious remedy under Section 30 of the Employees Compensation Act, 1923.
3. The learned Counsel for the Petitioner seeks leave to withdraw the Petition with liberty to file an Appeal assailing the order impugned in the Petition.
4. Leave granted with liberty as prayed for.
5. In the event question of limitation arises, the time spent in prosecuting the Petition may be accounted for under Section 14 of the Limitation Act.
6. Since by an order dated 25 October 2022, this Court has granted ad-interim protection.
7. The ad-interim protection shall continue to operate for a period of two

weeks from today.

8. The Writ Petition stands disposed as withdrawn with liberty as sought.

(N.J.JAMADAR, J.)