

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

**INTERIM APPLICATION NO.18993 OF 2022
IN
FIRST APPEAL NO.219 OF 2021**

Shri. Nathalal M. Parekh
Sanitorium Lonavala

...Applicant

V/s.

The Joint Director,
Appellate Authority Employees State
Insurance Corporation, Pune.

...Respondent

Mr. Aumkar V. Joshi for Applicant.

Mr. Sujeet G. Kurup for Respondent.

CORAM : AMIT BORKAR, J.

DATE : JANUARY 10, 2023

P.C.:

1. This court while allowing the appeal recorded a finding that the canteen facility run in the sanatorium has no nexus with the establishment of the appellant as it has not been controlled by it, nor wages of persons engaged therein are paid by the appellant. The amount has been deposited by the present applicant by praecipe dated 26th February 2022. In the same praecipe, it has been specifically mentioned that the appellant sanatorium is being run by Shree Saurashtra Dasha Shrimali Seva Sangha.

2. In that view of the matter, application is allowed in terms of prayer clause (a).

3. Interim Application stands disposed of. No costs.

(AMIT BORKAR, J.)