

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

FIRST APPEAL NO.206 OF 2022

M/s. Adit Enterprises, (Agency) through its owner/Proprietor – Shri Anilkumar
Jugalkishore Rathi

Vs.

Hasinuddin Sheikh s/o Amir Sheikh through his LR's 1A- Sk. Matuyar s/o Sk.
Hasinuddin and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri. N. W. Almelkar, Advocate for appellant.
Shri. S. B. Dhande, Advocate for respondent No.2.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 09/02/2023

The learned Advocate for the appellant Shri. Almelkar, submitted that in view of the order of this Court appellant has deposited entire amount of compensation along with interest and penalty

Issue notice to the respondent No.3,
returnable in four weeks.

The appellant is permitted to serve the
respondent No.3 by all modes of service.

Stand over after four weeks for admission
and notice.

Civil Application (CAF) No.425 of 2022

By this application, the appellant is seeking stay to the effect, operation and implementation of the impugned judgment and order dated 30.03.2021.

As the appellant has already deposited the entire amount of compensation as well as interest and penalty on the compensation amount. For the reasons mentioned in the application, the impugned judgment and order dated 30.03.2021 passed by the learned Commissioner under the Employees' Compensation Act and 4th Labour Court, Nagpur, in E.C.A. No.72 of 2013 is stayed, till disposal of the appeal.

Civil Application is disposed of.

Civil Application (CAF) No.1967 of 2022

By this application, the appellant is seeking relief restraining the original claimant to withdraw the amount.

The said application is opposed by the appellant on the ground that the appellant is pity contractor. Let the respondent Nos.3 be served and after hearing the respondent No.3 necessary orders can be passed on this application.

Place the matter after four weeks after service of respondent No.3.

(URMILA JOSHI-PHALKE, J.)

Sarkate

Digitally signed by ANANT R
SARKATE
Signing Date: 21.03.2023
19:21

Corrected as per order dated 09.03.2023