

28.03.2024
Item No.7
PG
Ct. No.7

C.O. 3356 of 2023
M/S. M. Tech Combined
Vs.
The Employees' State Insurance Corporation & Anr.

Mr. Raj Kumar Gupta.....for the petitioner

Mr. Subal Maitra
Mr. Arindam Maitra

.....for the E.S.I.C.

1. By the order being no. 3 dated 24th July, 2023, the learned Judge, Employees' Insurance Court, West Bengal, Kolkata in Tender Case No. 21 of 2023 allowed the application of the petitioner herein filed under section 75(2B) of the ESI Act, 1948 dated 2nd February, 2023 by directing the petitioner herein to deposit 30% of the amount claimed by the Corporation by 4th September, 2023.
2. After some argument, the learned advocate for the petitioner prayed for extension of time to deposit the amount, as directed by the said order.
3. Mr. Maitra, learned senior counsel representing the Employees' State Insurance Corporation does not oppose such prayer of extension of time to comply with the directions contained in the impugned order.
4. As prayed for by the learned advocate for the petitioner, time to deposit 30% of the amount claimed by the Corporation is extended till 30th April, 2024.

5. There shall be an unconditional order of injunction directing the opposite party/Corporation not to take any coercive action against the petitioner till that date.
6. In the event the petitioner deposits the aforesaid amount within the time limit mentioned hereinbefore, the Corporation shall act as trustee. Subject to such deposit being made, there shall be an order of injunction restraining the corporation from taking any coercive action against the petitioner till the final disposal of the Tender Case No. 21 of 2023.
7. With the above observations/directions C.O. 3356 of 2023 stands disposed of.
8. There shall be however, no order as to costs.
9. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(HIRANMAY BHATTACHARYYA, J.)