



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.14752 OF 2024
IN
FIRST APPEAL NO.1367 OF 2019

Employees' State Insurance Coporation ... Applicant.
Versus
Shri Sudhakar B. Kotkar and Anr. ... Respondents.

Mr. Shailesh S. Pathak a/w. Mr.T.R.Yadav, for the Applicant-ESIC.
Mr. Sunil Patil, for Respondents.

Coram : Sharmila U. Deshmukh, J.
Date : December 18, 2024

P. C. :

1. Not on board. Upon mentioning, taken on production board.
2. Interim Application has been preferred for deleting the remark regarding the dismissal of the First Appeal and non filing of the Interim Application for restoration of First Appeal.
3. Learned Counsel appearing for the Applicant would submit that by order dated 10th January, 2023 passed in Civil Application No.2571 of 2017 in First Appeal No.1367 of 2019, the period to file private paper-book was extended by a period of six weeks and the office noting of the relevant cause-list shows that the private paper-book has been filed within the stipulated period. He, thus,

submits that the remark as regards the dismissal of the First Appeal is required to be deleted.

4. The cause-list which is annexed to the Interim Application shows the filing of the private paper-book within the stipulated period as directed in Civil Application No.2517 of 2017. Learned counsel for the Applicant also gives an assurance that the private paper-book has already been filed.

5. In view thereof, the remark as regards the dismissal of the First Appeal No.1367 of 2019 is deleted. The First Appeal No.1367 of 2019 if rejected, is restored to file.

6. To be heard along with First Appeal No.1059 of 2024.

[Sharmila U. Deshmukh, J.]