

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1166 OF 2024

Sumaya Auto

.Petitioner

Versus

The Regional Director, ESI Corporation, Mumbai & anr. .Respondents

Mr. Mahesh Shukla a/w. Mr. Niraj Prajapati, Advocates, for the
Petitioner

Mr. Sujeet Kurup (Through VC) a/w. Mr. Chandrakant Pawar,
Advocates, for the Respondents

CORAM : MADHAV J. JAMDAR, J.

DATE : 27.08.2024

P. C.

1. Heard Mr. Shukla, learned counsel for the Petitioner and Mr. Kurup, learned counsel for the Respondents.
2. By the present Writ Petition filed under Article 226 of the Constitution of India, the Petitioner is challenging the legality and validity of the Order dated 05.04.2022 passed by the learned Judge, Employees Insurance Court, Mumbai in Misc. Application (ESI-Ex.) No. 72 of 2019.
3. By the impugned Order, the said Exemption Application has been rejected and the Applicant has been directed to deposit 50% of the claim amount of Rs. 2,92,700/- within one month from the date of the

order in the E. I. Court. Although Mr. Shukla, learned counsel for the Petitioner has raised several contentions, however, the said contentions are with respect to the merits.

4. In any case, by the impugned Order, the direction was issued to deposit 50% of the claim amount of Rs. 2,92,700/- in the E. I. Court. Therefore, no prejudice will be caused to the Petitioner.

5. For above reasons, no interference is warranted in the impugned Order dated 05.04.2022 passed by the learned Judge, Employees Insurance Court, Mumbai in Misc. Application (ESI-Ex.) No. 72 of 2019.

6. Mr. Shukla, learned counsel for the Petitioner states that time granted by the learned Judge, E. I. Court be extended. Accordingly, time to deposit 50% of the claim amount of Rs. 2,92,700/- directed by clause (ii) of the impugned Order is extended till 30.09.2024. In case, the Petitioner deposits the 50% of the said amount of Rs. 2,92,700/- on or before 30.09.2024 then registry of the E. I. Court to register the main Application after due scrutiny.

7. The Writ Petition stands disposed of, subject to above.

[MADHAV J. JAMDAR, J.]