

09.06.2025
Item No.20
Ct. No. 30
Aloke

WPA 28390 of 2024

**M/s. Hotel Mayurakshi & Anr.
Vs.
Employees' State Insurance Corporation & Anr.**

Mr. Uddipan Banerjee
Mr. Subhrakanti Samanta

... for the petitioners

Mr. Bodhisatya Biswas
... for the respondent no. 1

The present writ application has been preferred against an order dated 10th June, 2024 passed in Tender Case No. 8 of 2024 by the Employees' Insurance Court.

The learned counsel for the respondent has challenged the maintainability of the writ application on the ground that an order passed by the Employees' Insurance Court under the provisions of the ESI Act, 1948 is an appealable order and only when a substantial question of law is involved an appeal lies before the High Court under Section 82 of the Act and in all other cases the relief lies before the High Court in a civil revision.

The learned counsel for the petitioners at this stage prays for leave to withdraw the writ application with leave to prefer a civil revision.

On hearing the parties, the writ application is disposed of as 'withdrawn' with liberty granted to the petitioners to prefer a civil revision.

All connected applications, if any, stands disposed of.

Interim order, if any, stands vacated.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Shampa Dutt (Paul), J.)