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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 872 OF 2024
WITH
INTERIM APPLICATION NO.15300 OF 2024

Viraj Agency through
Vijay Sopan Dongre, Prop.
v/s.

... Appellant

Employee State Insurance Corporation
& Ors.

... Respondents

Mr. Avinash Naikwadi a/w Ms. Swati M. Jadhav for the Appellant.

Mr. Mayuresh Nagle a/w Mr. Rajvardhan S. Rane for the
Respondent.

CORAM : KAMAL KHATA, J.

DATED : 9TH OCTOBER 2025.

P.C. :

1. The learned Advocate for the Respondents seeks some time to consider the point of law, namely: whether the Appellant is 'principal employer' or 'immediate employer' under the provisions of the ESIC Act?

2. I am satisfied that a *prima facie* case is made out by the Appellant. Accordingly, interim relief is granted in terms of the prayer clause (a) of the Interim Application, until the next date.

The said clause reads as under:-

“(a) Pending the hearing and final disposal of the present First Appeal, the execution, operation, implementation and/or effect of the judgment and order dated 23.02.2023 passed by the Ld. Insurance Court at Pune, in Application ESI No.27 of 2020, be stayed.”

3. List the matter on 10th November 2025.

(KAMAL KHATA, J.)