

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 11495/2025

Mataji Dying Mills Pvt. Ltd., Through Its Authorised
Representatives E-232-233, Industrial Area, Punayata, Pali,
Rajasthan-306401.

-----Petitioner

Versus

1. Union Of India, Through Joint Secretary Ministry Of
Labour And Employment, Government Of India Having
Officer At Shram Shakti Bhawan, Rafi Marg, New Delhi-
11000.
2. Deputy Director, Sub Regional Office, Employee State
Insurance Corporation Through Its Esi Hospital Complex,
Near Pratap Nagar, Police Station Kamla Nehru Nagar,
Jodhpur (Raj.).

-----Respondents

For Petitioner(s)	:	Mr. Anurag Bhatt through VC. Mr. Lokesh Pathak. Mr. Joginder Bharti. Mr. Pravin Kumar.
For Respondent(s)	:	---

HON'BLE MR. JUSTICE MUNNURI LAXMAN

Order

01/07/2025

1. Heard on the interim stay application.
2. The learned counsel appearing on behalf of the petitioner
submits that the impugned order shows that a part of the period
relating to the dues is anterior to the date of approval of
resolution plan. It is submitted that once the dues proved to be
anterior to the date of passing of resolution plan, claim to such
dues gets extinguished unless they are part of plan. It is also
submitted that the part of the claims are subsequent to the

resolution plan, however, the impugned order does not reflect the dues relating to the subsequent period before passing the resolution plan. Therefore, the petitioner cannot be compelled to pay such dues. The petitioner also expresses that if any such bifurcation is given by the respondents, the petitioner is ready to comply with such dues as bifurcated by the respondents, subject to the final outcome/result of the present writ petition.

4. In the light of the such submissions, there shall be a stay of the impugned award relating to recovery of the dues for the period anterior to the date of approval of resolution plan. However, the respondents authorities are at liberty to recover the subsequent dues i.e. subsequent to the date of approval of resolution plan, only upon bifurcating such dues and intimating the same to the petitioner.

5. Issue notice to the respondents, returnable within a period of three weeks.

6. List the matter on **25.07.2025**.

(MUNNURI LAXMAN),J