

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

IA 1/2009 in CIV I L AP P E A L NO. 5549 OF 2003

E M P L O Y E E S S T A T E I N S U R A N C E C O R P O R A T I O N

Appellant (s)

V E R S U S

R A T H A P O W E R P R E S S

Respondent(s)

(for restoration and office report)

Date: 13/05 /2009 This Appeal was called on for hearing today.

C O R A M :

HON' B L E M R. J U S T I C E M A R K A N D E Y K A T J U
HON' B L E M R. J U S T I C E V . S . S I R P U R K A R

For Appellant(s) Mr. C.S. Rajan, Sr. adv.

Mr. Anupam Mishra, Adv.

Mr. Jenis Francis, Adv.

Mr. V.J. Francis, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

The application is allowed and order dated 29.4.2009 is recalled and the appeal restored to its original number.

Heard learned counsel for the appellant on merit.

The appeal is dismissed leaving the question of law open in terms of the signed order. No order as to costs.

(Ajay Kr. Jain)
Court Master

(Indu Satija)
Court Master

(Signed order is placed on the file)
I N T H E S U P R E M E C O U R T O F I N D I A

C I V I L A P P E L L A T E J U R I S D I C T I O N

I.A.No.1 in CIV I L AP P E A L NO.5549 OF 2003

Employees State Insurance Corporation

..Applicant/
Appellant

versus

Ratha Power Press

..Respondent

O R D E R

Heard learned counsel for the appellant.

For the reasons given in the application for restoration, the

application is allowed. The order dated 29 th April, 2009 dismissing the appeal in default is recalled and the appeal is restored to its original number.

Heard learned counsel for the appellant on merits.

We do not find any infirmity in the impugned order. The appeal is dismissed accordingly leaving the question of law open. No order as to costs.

.....J.
[MA R K A N D E Y KA T J U]

NE W D E L H I ;
M A Y 13, 2009.

.....J.
[V.S.SI R P U R K A R]