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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010210632026

+ **FAO 158/2026, CM APPLs. 40324/2026, 40825/2026**

M/S NANCY KRAFT P LTD Appellant

Through: Mr. Maneesh Gumber, Mr. Tarun
Gumber and Mr. Rohit Khan Kriyal,
Advocates.

versus

EMPLOYEES STATE

INSURANCE CORPORATION

.....Respondent

Through: Mr. Rajesh Kumar, Mr. Yash Narain,
Advocates

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

06.08.2026

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1. By way of the present appeal filed under Section 82 of the Employees State Insurance Act, 1948, the appellant seeks to assail the order dated 07.04.2026 passed in MISC SCJ 157/2025, whereby the appellant's application seeking restoration of the petition under Section 75 of the ESIC Act came to be dismissed.
2. This Court, on 12.05.2026, took note of the facts of the case and issued limited notice only to the limited extent as to whether the appellant is entitled to avail the benefit of "New Amnesty Scheme, 2025" floated by the respondent.
3. Learned counsel appearing on behalf of the respondent submits that the appellant has filed the aforesaid application after the prescribed cut-off date and is, thus, not entitled to avail the benefit of the aforesaid scheme.
4. At this stage, learned counsel appearing for the appellant submits that in case the appellant's petition under Section 75 of the ESI Act is revived to



a limited extent, the appellant would be entitled to avail the benefit of the aforesaid scheme.

5. Apparently, the appellant, *vide* order dated 29.04.2017, was directed to deposit 50% of the claimed amount, which it failed to deposit. Learned counsel appearing for the appellant submits that 50% of the claimed amount already stands deposited. He further submits that the appellant does not intend to challenge the demand on merits and only prays that its restoration application be allowed so as to enable it to avail the benefit of the “New Amnesty Scheme, 2025”, floated by the respondent.

6. In view of the aforesaid facts and circumstances, the present appeal is disposed of with a direction to the ESIC to examine whether the appellant has deposited 50% of the demanded amount. The application for availing the Scheme, if permitted, be considered in accordance with law.

7. List before the ESIC Court on 13.08.2026.

8. Interim orders shall continue till 13.08.2026. It shall be open to the appellant to seek continuation thereof before the ESIC Court, which shall consider such request in accordance with law.

9. The already scheduled date of 19.08.2026 stands cancelled.

Dasti.

MANOJ KUMAR OHRI, J

AUGUST 6, 2026/rd