

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE A.MUHAMED MUSTAQUE

TUESDAY, THE 12TH DAY OF MAY 2015/22ND VAISAKHA, 1937

WP(C).No. 14367 of 2015 (U)

PETITIONER(S):

**M/S. SUKAPURAM HOSPITAL,
THRISSUR ROAD, EDAPPAL, MALAPPURAM- 679 576,
REPRESENTED BY ITS MANAGING PARTNER,
DR.K.S. AMRITHA KUMAR.**

**BY ADVS.SRI.K.ANAND,
SRI.HUSSAIN KOYA VALIYAVEEDAKATH,
SRI.M.R.NANDAKUMAR.**

RESPONDENT(S):

**THE ASSISTANT DIRECTOR,
REGIONAL OFFICE, ESI CORPORATION,
PANCHDEEP BHAVAN, NORTH SWARAJ ROAD,
THRISSUR- 680 020.**

BY ADV. SRI.P.SANKARANKUTTY NAIR, SC.

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12-05-2015, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

rs.

WP(C).No. 14367 of 2015 (U)

APPENDIX

PETITIONER'S EXHIBITS:-

**P1: TRUE COPY OF THE NOTICE NO.54000168600001401 INS.V.
DATED 03.12.2014 ISSUED BY THE RESPONDENT.**

**P2: TRUE COPY OF THE ORDER NO.54000168600001401/INS.V
DATED 27.04.2015 ISSUED BY THE RESPONDENT.**

RESPONDENT'S EXHIBITS:- NIL.

//TRUE COPY//

P.A. TO JUDGE

rs.

A.MUHAMED MUSTAQUE, J.
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W.P(C).No.14367 of 2015
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Dated this the 12th day of May, 2015

JUDGMENT

Petitioner is a hospital impugns an order passed under Sec.45A of the Employees' State Insurance Act, 1948.

2. Learned Standing Counsel points out appellate remedy for the petitioner and submits that Writ Petition is not maintainable.

3. Learned counsel for the petitioner would submit that they are not liable and therefore, impugned order is passed without jurisdiction.

4. I am of the view, petitioner can take up all the contentions before the appellate authority. Petitioner shall move appellate authority or Court within a period of one month from the date of receipt of a copy of this judgment. If petitioner moves such an application and work out its remedy, all recovery proceedings shall be kept in abeyance for a period of two months.

The Writ Petition is disposed of.

Sd/-

A.MUHAMED MUSTAQUE, JUDGE.

Sbna/13/05/15