

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6634 of 2016

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M/s Jayshree Enterprises, Shekhpura House (Beldari Tola), Sheikhpura, Beli Road, Patna through its Proprietor Sohrai Ram son of Late Raja Ram, resident of Sheikhpura House (Beldari Tola), P.S.- Shastri Nagar, District- Patna.

.... Petitioner/s

Versus

1. The Director, Employees State Insurance Corporation, Panchdeep Bhawan, Jawahar Lal Nehru Marg, Patna 800001.
2. The Director, State Insurance Corporation, Panchdeep Bhawan, Jawahar Lal Nehru Marg, Patna 800001.
3. The Deputy Director, State Insurance Corporation, Panchdeep Bhawan, Jawahar Lal Nehru Marg, Patna.
4. The Recovery Officer, Employees State Insurance Corporation, Panchdeep Bhawan, Jawahar Lal Nehru Marg, Patna 800001.
5. The Regional Office, Employees State Insurance Corporation, Panchdeep Bhawan, Jawahar Lal Nehru Marg, Patna 800001.
6. The Social Security Officer, Employees State Insurance Corporation, Panchdeep Bhawan, Jawahar Lal Nehru Marg, Patna 800001.
7. The Insurance Inspector, Inspection Division, Patna (W), Employees State Insurance Corporation, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Singh, Advocate
: Mr. Krishna Deo Raj, Advocate
For the Respondent/s : Mr. Dr. Anshuman, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL JUDGMENT

Date: 11-04-2017

By way of the present application preferred under Article 226 of the Constitution of India, the petitioner has challenged the order dated 06.08.2015 passed by the Deputy Director, Employees' State Insurance Corporation under Section 45A of the Employees' State Insurance Act, 1948 (for short 'the ESI Act') whereby the petitioner has been directed to pay the contribution amount worth



Rs.6,41,355/- for fifty two months from the period 01.07.2010 to 31.10.2014. The challenge is also to the letter dated 21.12.2015 issued by the respondents authority to the Recovery Officer for compliance of the aforesaid order dated 06.08.2015.

2. A preliminary objection has been raised by the learned counsel for the Employees' State Insurance Corporation regarding maintainability of the writ application. He submitted that there is statutory remedy available to the petitioner under Section 45-AA of the ESI Act.

3. I find substance in the preliminary objection raised by the respondents Corporation.

4. Regard being had to the availability of equally efficacious statutory remedy to the petitioner under Section 45-AA of the ESI Act, I am not inclined to entertain the present application filed under extraordinary writ jurisdiction. It is, accordingly, dismissed as not maintainable.

(Ashwani Kumar Singh, J)

Md.S./-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	14.04.2017
Transmission Date	

