



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2017

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

C.M.A.(MD)No.410 of 2016

Employees State Insurance Corporation,
Sub Regional Office,
Salai Street, Vannarpettai,
Tirunelveli-627 001,
Represented by its Joint Director.
Now at Salai Street, Vannarapettai,
Tirunelveli-2

... Appellant

Vs.

Arasan Beedi Company Private Limited,
47, Ambai Road,
Melapalayam,
Tirunelveli-627 005.

... Respondent

Prayer: Appeal filed under Section 82 of Employees' State Insurance Act 1948, against the order dated 22.01.2015 made in E.S.I.O.P.No.3 of 2014 before the Labour Court(Employees' State Insurance Court), Tirunelveli.

For Appellant : Mr.P.Ganapathisamy
For Respondent : Mr.M.E.Ilango

JUDGMENT

Heard the learned counsel on either side.

2.The E.S.I. Corporation is the appellant in this appeal. Damages were levied on the respondent by passing an order under Section 85(B) of the 'Act'. The establishment questioned the same by filing E.S.I.O.P.No.3 of 2014. Before the matter was taken up for final disposal, the very levy of contribution came to be set aside in E.S.I.O.P.No.5 of 2013. Therefore, the question of paying damages would not arise. The order passed by the E.S.I. Court allowing the petition is sound. It does not call for any interference. No substantial question of law arises for determination in this appeal.



3. This Civil Miscellaneous Appeal stands dismissed. No costs.

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sd/-
Assistant Registrar (AE)

Sub Assistant Registrar

To

1. The Labour Court (Employees' State Insurance Court),
Tirunelveli.

2. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr. P. GANAPATHISAMY, Advocate SR.No.90139

+1 CC to Mr. M. E. ILANGO, Advocate SR.No.90053

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tsg
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