

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 21669 of 2015

ORDER:

1) The present writ petition came to be filed with the following prayer:

“issuance of writ of mandamus, declaring the final notification published in Part I Extraordinary issue of A.P.Gazette No.582, dated 14.10.2008 as illegal, arbitrary and violative of Articles 14 and 19 (1) (g) of the Indian Constitution; and consequently to declare that the third respondent has no jurisdiction to pass any order against the petitioner educational institution.”

2) At the time when the matter is taken up for hearing, learned Government Pleader for Labour submits that the issue involved in the present writ petition is covered by the order of this Court in W.P.No.29636 of 2011, wherein this Court refused to accept the request of the petitioner therein. The same came to be challenged by way of Writ Appeal No.207 of 2016 which was also dismissed, confirming the findings given by the learned Single Judge. The said fact is not seriously disputed by the learned counsel for the petitioner but however submits that liberty may be given to the petitioner to file an application seeking exemption as per the provisions of the Employees State Insurance Act, 1948.

3) In view of the orders passed earlier, I see no merit in the writ petition. However, it is open for the petitioner to file an application for exemption, as per the provisions of the Employees

State Insurance Act, 1948, in which event the same shall be dealt with in accordance with law.

4) Accordingly, the writ petition is disposed of. There shall be no order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

20.07.2017
gkv

