

HONOURABLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.2130 OF 2003

ORDER:

Heard Mr.A.K.Jayaprakash Rao, for the petitioner.

No representation for respondents 1 and 2.

The petitioner challenges proceedings No.Ins./MEC/52-6701-492, dated 27-1-2003 as illegal, arbitrary and without considering the circumstances under which the petitioner was prevented from making contribution.

Mr.A.K.Jayaprakash Rao submitted that the petitioner is satisfied if a direction is issued to the 1st and 2nd respondents to consider the representation dated 27-12-2002 and pass orders. He relies upon the decisions reported in *FENNER (INDIA) LTD., vs. JOINT REGIONAL DIRECTOR* (decided by High Court of Madras on March 12,2003 in W.P.No.7384 of 1998) and *H.M.T.LIMITED, WATCH FACTORY IV, TUMKUR AND EMPLOYEES' STATE INSURANCE CORPORATION & ANR.* (decided by High Court of Karnataka on January, 21, 1998 in W.P.No.22421/1997 with 31947/1997) contend that the non-payment of contribution during currency of orders of competent court, does not attract payment of interest.

As the prayer is confined to direct the respondents to consider representation dated 27-12-2002, the court is not referring to the other details set out by the parties in the writ petition.

Keeping in view the limited submission, I am satisfied that the writ petition can be disposed of by this order.

The petitioner is given liberty to resubmit the representation dated 27-12-2002, by enclosing a copy of this order to respondents and the Regional Director, E.S.I., within six weeks from today. The authorities are directed to consider and pass orders within three months from the date of receipt of representation from the petitioner. The interim order granted on 10-4-2003 is directed to be continued for a period of five months from today.

The Writ Petition is disposed of accordingly. No order as to costs.

As a sequel to the disposal of this petition, the Miscellaneous Petitions, if any, pending, shall stand dismissed.

Dated 17-3-2017.

Dvs.



JUSTICE S.V.BHATT

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Dated 17-3-2017.

Dvs