

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 39456 of 2013

ORDER:

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

“issuance of writ of mandamus, declaring the Notification Published in Para-I extraordinary issued in A.P.Gazette No.582, dated 14.10.2008 as illegal, arbitrary and legally not enforceable and violative of Articles 14 and 19 (1) (g) of the Indian Constitution; and consequently, declare the proceedings issued in File No.AP/ INS-II/ 52-00-036885-000-1304/ 162 & 161 dated 20.11.2013 as illegal, not valid and enforceable and not binding.”

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 petitioners but however submits that liberty may be given to the petitioners to file an application for 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 petitioners to file an

application seeking 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.

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JUSTICE C. PRAVEEN KUMAR

20.07.2017  
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