

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 3540 of 2016

ORDER:

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

“issuance of writ of mandamus, declaring G.O.Pt.No.1887, Labour, Employment, Training & Factories Department dated 26.09.2008 published in A.P.Gazette No.582 under Final Notification dated 14.10.2008 issued by the first respondent and order of the third respondent dated 12.10.2015, as illegal, arbitrary and contrary to the provisions of the Employees State Insurance Act, 1948; and consequently direct the respondents not to insist for compliance of the orders under the Employees State Insurance Act, 1948 in respect of petitioner college.”

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 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 petitioner 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.

20.07.2017
gkv

JUSTICE C. PRAVEEN KUMAR

