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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.L.P. 169/2016

EMPLOYEE STATE INSURANCE CORPORATION..... Petitioner
Through: Mr.A.K.Verma, Adv.

versus

RAM PRAVESH TRIPATHI & ORS Respondents
Through: Mr.Parmod Kumar, Adv.

CORAM:
HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER
% **17.07.2017**

Heard the learned counsel for the leave petitioner.

The respondent was made an accused under Section 85(a) of the ESI Act, 1948 for his having not paid the amount which was due against him. During the trial, one of the officials of the ESI viz. R.B.Meena was examined as CW-1 who deposed that on 16.09.2014 the respondent had paid Rs.63,000/- towards the contribution amount. The aforesaid witness was not aware of the fact whether the interest was paid or not. The Trial Court has taken note of the fact that the notice for the prosecution was issued for the contribution amount. Later, the interest also was paid. The details of the payment of the interest has also been referred to by the Trial Court in para 13 of the judgment.

Taking into account the aforesaid facts, this Court is not inclined to interfere with the judgment and order of acquittal.

Leave declined.

The petition is dismissed.

ASHUTOSH KUMAR, J

JULY 17, 2017

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