

THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

Writ Petition No.9846 of 2018

ORDER:

This writ petition, under Article 226 of the Constitution of India, is filed by the petitioner seeking verbatim the following relief:

‘...to issue a writ, order or direction and more particularly one in the nature of writ of Mandamus, declaring the acts of the 2nd Respondent in attaching the property of the Petitioner in Sy.No.550 of NH-202, Jammapuram (V), Bhongir (M), Nalgonda District, is illegal, arbitrary and violative of principles of natural justice and further declared that the execution of Certificate No.TS/INSII/52000342070000802, dated:12-08-2015, 01-10-2016 on the file of the 2nd Respondent is illegal to pass such other order or orders as this Hon’ble Court deems fit and proper in the circumstances of the case and in the interest of justice.’

I have heard the submissions of Sri Ch. Venkat Raman, learned counsel appearing for the petitioner, and of Sri B.G. Ravindra Reddy, learned standing counsel appearing for the 2nd respondent. I have perused the material record.

Learned counsel for the petitioner would submit that the petitioner is no way concerned with the affairs of ‘Core Digital’ and that the property of the petitioner is wrongly attached and, therefore, the writ petition is filed.

Learned standing counsel would submit that under Section 75 of the Employees’ State Insurance Act, 1948, an appeal would lie to an appropriate appellate authority and that in view of the availability of the efficacious alternative remedy the writ petition is not maintainable.

Learned counsel for the petitioner, in reply, would submit that the petitioner would pursue the alternative remedy and that, therefore, while disposing of the writ petition liberty may be reserved.

Recording the submissions, the Writ Petition is disposed of reserving liberty to the writ petitioner to avail the alternative remedy by approaching the appropriate appellate authority as contemplated under law. It is made clear that in the event the petitioner files any such appeal, the appellate authority shall dispose of the same in strict adherence to the procedure established by law.

There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

M. SEETHARAMA MURTI, J

28.03.2018

Vjl

