

THE HON'BLE SRI JUSTICE A.V.SESHA SAI

W.P.No.41132 of 2018

ORDER:

Heard the learned counsel for petitioner and Sri Pasham Srinivasulu, learned Standing Counsel for Respondents.

2. The grievance of the petitioner in the present writ petition is the alleged inaction on the part of the 2nd respondent in disposing of the application filed by the petitioner on 24.9.2018.

3. The 2nd respondent vide proceedings dated 9.8.2018, passed an order under Section 45-A of the E.S.I. Act, 1948, fixing the liability on the petitioner at Rs.19,40,690/- for the period from 1.7.2013 to 31.5.2018.

4. According to the learned counsel for the petitioner, the order passed by the 2nd respondent Authority under the provisions of Section 45A of ESI Act, 1948 is highly illegal, arbitrary and violative of principles of natural justice. Since it is the only grievance of the petitioner in the present writ petition that the 2nd respondent did not pass any orders on the Miscellaneous Application filed by the petitioner herein on 24.9.2018, seeking to set aside the exparte order dated 9.8.2018, this Court deems it appropriate to dispose of the writ petition with a direction to the 2nd Respondent to pass appropriate on the Miscellaneous Application filed by the petitioner on 24.9.2018 strictly in accordance with law within a period six weeks from the date of receipt of this order.

5. The writ petition is accordingly disposed of. As a sequel, the miscellaneous petitions, if any, shall stand closed. There shall be no order as to costs.

A.V.SESHA SAI, J

Date: 10.12.2018
DA



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