

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

202(3 cases)

Date of Decision : 27.04.2018

1) FAO-526-1992 (O&M)

Employee State Insurance Corporation, Chd. and another..... Appellants

Versus

M/s Pearls General Finance Ltd.

..... Respondent

2) FAO-754-1990 (O&M)

Employee State Insurance Corporation, Chd.

..... Appellant

Versus

M/s Pearls General Finance Ltd.

..... Respondent

3) FAO-280-1993 (O&M)

Employee State Insurance Corporation, Chd.

..... Appellant

Versus

M/s Pearls General Finance Ltd.

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present: Mr. G.D. Gupta, Advocate
 for the appellant(s).

Mr. Vinod Bhardwaj, Advocate
for the respondent.

AJAY TEWARI, J. (Oral)

Since identical questions of law are involved in these appeals
between the same parties, the same are decided by this common order.

In all these three cases, the appellants-corporation has assessed the contribution of the respondent. In all these three cases, the respondent had challenged the same under Section 75 of the ESI Act and in all these three cases the challenge was accepted by the ESI Court on the ground that the establishment was not covered under the ESI Act being commercial.

Counsel for the appellants has relied upon the judgment of the Supreme Court in the matter of *The Bangalore Turf Club Ltd. vs. Regional Director, Employees State Insurance Corporation, passed in Civil Appeal No.2416 of 2003, decided on 31.07.2014* to contend that the provisions of the ESI Act would extend to these establishments also.

Counsel for the respondent has not been able to cite any contrary judgment.

Appeals are allowed.

Since the main cases have been decided, the pending civil miscellaneous application, if any, also stands disposed of.

April 27, 2018
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No