

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

418

**FAO No.1885 of 1996 (O&M)
Date of Decision : 23.03.2018**

Employees State Insurance Corporation and others

..... Appellants

Versus

Avinash Sharma & anr.

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present :- Mr. H.S.Bhatia, Advocate
for the appellants.

None for the respondents.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the judgment of the Employee's State Insurance Court allowing an application under Section 75 of the Employees State Insurance Act, 1948 (for short the 'Act') filed by the respondents and thereby setting aside the computation and liability of Rs.41,658/-.

The primary ground which weighed with the Court was that as per the record respondent No.1 had only 8 employees and thus the provisions of the Act were not attracted. There are other grounds also which as per learned counsel for the appellants are not correct but once this primary ground is there the case can be decided on this basis.

Learned counsel for the appellants has not been able to dislodge the finding that there were only 8 employees.

Appeal is dismissed.

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

(AJAY TEWARI)
JUDGE

22.03.2018

Pooja sharma-I

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No