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

+ **CRL. M.C. 6218/2018**

ERA INFRA ENGINEERING PVT. LTD. & ANR..... Petitioners

Through: Mr. Hariharan, Sr. Adv. with Mr.
Kapil Sankhla, Ms. Apporva Kumar
and Mr. Rishabh Dua, Advs.

versus

**EMPLOYEE STATE INSURANCE
CORPORATION**

..... Respondent

Through: Mr. V.K. Singh, Ms. Nisha Hans and
Ms. Prachi Singh, Advs.

CORAM:

HON'BLE MR. JUSTICE A.K. PATHAK

ORDER

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06.12.2018

During the course of hearing, the learned senior counsel for the petitioners submits that present petition is being pressed only for cancellation of NBWs issued against the petitioner no.2.

Learned senior counsel submits that petitioner no.2 will appear before the trial court on 7th February, 2019. Learned senior counsel further submits that on 16.07.2015 officials of respondent had visited the premises of petitioners and they were provided records pertaining to the period April, 2010 to March, 2015. Reliance has been placed on the visit note dated 16.07.2015 (Annexure P-13). He further submits that demand of ₹24,14,140/- was raised pursuant to the said inspection which was even paid on 12.01.2016 through a demand draft. Reliance has been placed on the

statement of account of petitioner maintained with the Corporation Bank, Sector 18, NOIDA, UP at page 131.

Learned counsel for the respondent submits that the above facts have to be verified from the respondent.

Since petitioner no.2 has undertaken to appear before the trial court on the date fixed, without going into the merits and demerits of the contentions of the petitioners, I am of the view that present petition, which is only for quashing of non-bailable warrants, can be disposed. Accordingly, impugned order, whereby NBWs have been issued, is set aside. Petitioner no.2 shall appear before the trial court on the date fixed.

Petition is disposed of. Miscellaneous applications are disposed of as infructuous.

Dasti.

A.K. PATHAK, J.

DECEMBER 06, 2018

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