

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16406 of 2019

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Rajiv Kumar Singh S/o Late Awadhesh Kumar Singh, Resident of 189-B,
Srikrishnapuri, P.S.- S.K.Puri, Distt.- Patna.

... .. Petitioner/s

Versus

1. Employees State Insurance Corporation through its Regional Director,
Panchdeep Bhawan, Bailey Road, Patna
2. The Deputy Director (Ins.) Panchdeep Bhawan, Bailey Road, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kr. Ojha, Adv.
For the Respondent/s : Dr. Anshuman Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 13-08-2019 Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. In this case, the petitioner is challenging the order dated 15.05.2018 passed by the Deputy Director, Employees' State Insurance Corporation, Patna.

3. The counsel for the petitioner submits that on account of illness of mother, the petitioner remained busy with her treatment and, as such, he could not participate in the matter and the E.S.I.C. has confiscated Rs.7,00,000/- (seven lakhs) from the account of the petitioner.

4. From the order dated 15.05.2018 it appears that the Authority while passing the final order in 45-A proceeding had given liberty to file an appeal within sixty days, but no appeal



has been filed.

5. The counsel for E.S.I.C. submits that this writ petition is not maintainable on account of the fact that there is remedy for appeal, but no such appeal has been filed as yet.

6. In such view of the matter, the petitioner is given liberty that if the appeal is filed, the authority will consider the case of the petitioner with respect to condonation of delay as well as merit of the case and decide accordingly.

7. Accordingly, this writ petition is disposed of.

(Shivaji Pandey, J)

Mahesh/-

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