

**HON'BLE THE CHIEF JUSTICE SRI THOTTATHIL B. RADHAKRISHNAN
AND
HON'BLE SRI JUSTICE A. RAJASHEKER REDDY**

WRIT APPEAL No.1537 of 2018

JUDGMENT: *(per the Hon'ble the Chief Justice Sri Thottathil B. Radhakrishnan)*

Heard the learned counsel for the appellants - Employees' State Insurance Corporation and the learned counsel for the respondent/writ petitioner.

2. By the 9th of March 2019, the effect of the order of the learned Single Judge would expire. Reading of the order dated 22.11.2018, we think that this matter can now be closed on the submission of the learned counsel for the respondent/writ petitioner that his client will not be able to enjoy the benefit of the directions of the learned Single Judge after 09.03.2019. We also record the submission made on behalf of the ESI Corporation that the activity has hence been, essentially, handed over to the State Government authorities. We clarify that having regard to the issues raised by the ESI Corporation in this appeal, we order that the impugned order of the learned Single Judge will not be treated by the ESI Corporation as a precedent and all issues therein are hereby left open.

3. The Writ Appeal is ordered accordingly.

Pending miscellaneous petitions, if any, shall also stand disposed of. There shall be no order as to costs.

THOTTATHIL B. RADHAKRISHNAN, CJ

Date: 28.02.2019

A. RAJASHEKER REDDY, J

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