

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.69 of 1987

1.BHAGALPUR ZILA KHADI GRAMODYOG SANGH WITH ITS
REGISTERED OFFICE AT LAXMI NARAIN BHAWAN, BHAGALPUR-2.

2.THE SECRETARY, BHAGALPUR ZILA KHADI GRAMODYOG
SANGH LAXMI NARAIN BHAWAN, BHAGALPUR-2.

3.THE MANAGER, DYEING AND PRINTING DEPARTMENT
BHAGALPUR, ZILA KHADI GRAMODYOG SANGH, LAXMI NARAIN
BHAWAN, BHAGALPUR-2.

... .. Appellant/s

Versus

REGIONAL DIRECTOR, EMPLOYEES STATE INSURANCE
CORPORATION, LAKSHMI BHAWAN, BUDH MARG, PATNA AND AT
PRESENT ESIC BHAWAN, BAILEY ROAD, PATNA.

...OPP. Party Respondent ... Respondent/s

Appearance :

For the Appellant/s : None.

For the Respondent/s : Mr. Sachidanand Sahay, Adv

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 08-09-2020

Appellant claims to be a charitable organization



registered under the Societies Registration Act, 1960 and runs a small unit of dyeing and printing at Bhagalpur with about 15 manual labourers to print *Khadi* clothes and as such it does not come under the definition of factory within the meaning of E.S.I Act, 1948.

Inspector of ESI Corporation, inspected the Unit on 29.07.1974 and found 15 workers working and again inspected on 25.06.1975 and found less than 20 persons working there and Regional Director of Corporation directed appellant to deposit ESI contribution and employees special contribution and submit up to date returns to which appellants replied that they are not liable to pay any contribution and thereafter requisitions were sent to the Collector, Bhagalpur for realization of ESI contribution and employees Special Contribution of sum of Rs. 10,497.50/- and Rs. 5,595.00/- for realization of which certificate proceeding was instituted against the appellants.

Appellants against said order approached Presiding Officer, Labour Court, Patna, which dismissed their petition against which appellants filed Miscellaneous Appeal No. 13 of 1995 which was heard by learned Single Judge, who also dismissed the miscellaneous appeal, against which the present LPA was filed.



In spite of repeated calls and adjournments, no one appeared on behalf of appellants, hence, we dispose of the present appeal reserving liberty to the appellants to approach this Court on the same and subsequent cause of action, if so required subsequently.

L.P.A. stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

