

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8258 of 2020

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MUSLIM MINORITY INTER COLLEGE THROUGH ITS PRINCIPAL
NAMEDLY MD. TABREZ AHMAD MD. TABREZ AHMAD Lower Nath
Nagar Road, P.O. and P.S.- Tatarpur, Town and District- Bhagalpur, State of
Bihar-812002 through its Principal , namely Tabrez Ahmad, aged about 44
years, gender- male, S/o Md. Ansar Ahmad

... .. Petitioner

Versus

1. EMPLOYEES STATE INSURANCE CORPORATION Panchdeep Bhawan,
Jawahar Lal Nehru Marg, Patna-800001, Bihar through its Regional Director
2. Regional Director, Employees' State Insurance Corporation, Panchdeep
Bhawan, Jawahar Lal Nehru Marg, Patna-800001, Bihar
3. Authorised Officer, Employees' State Insurance Corporation, Regional
Officer (RO-Patna), Panchdeep Bhawan, Jawahar Lal Nehru Marg, Patna-
800001, Bihar
4. Recovery Officer-cum-Deputy Director (Recovery), Employees' State
Insurance Corporation, Panchdeep Bhawan, Jawahar Lal Nehru Marg,
Patna-800001, Bihar
5. Assistant Director, Employees' State Insurance Corporation, Panchdeep
Bhawan, Jawahar Lal Nehru Marg, Patna-800001, Bihar
6. Branch Manager, Employees' State Insurance Corporation, Branch Officer,
Bhagalpur
7. State Bank of India Tatarpur Branch, P.O.- Tatarpur, Town and District-
Bhagalpur - 812002, State of Bihar, through its Branch Manager

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Manish Jha, Advocate
For the Respondent/s : Mr. Anshuman Pandey

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-11-2020 As of now the Courts have not resumed normal physical
hearing, the matter has been listed today for consideration through
Video Conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and Secretary
are also part of this virtual court proceedings from their homes, all
with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned



Counsel for the respondent Employees' State Insurance Corporation.

Learned Counsel for the petitioner submits that he will be availing of his remedy under the ESI Act. It is his submission that during pendency of the instant writ application entire amount as per order dated 10.4.2019 has been recovered from his bank account and therefore he should not be required to deposit any amount for his appeal as required under the Act. It is submitted that in this regard he would be filing a petition before the appellate authority.

Mr. Ansuman Pandey, learned Counsel appearing for the respondents, submits that if the statement of the petitioner's Counsel hat the amount as per order dated 10.4.2019 has already been recovered from his account then he would not be required to deposit any amount under the Statute.

In view of the submission of the rival parties, there is no occasion for this Court to pass any order.

With liberty to the petitioner to avail of his remedy in accordance with law, the writ petition is dismissed.

(Madhuresh Prasad, J)

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