

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

Civil Miscellaneous Appeal No.4451 of 2019

1. The Deputy Director,
Employees State Insurance Corporation,
143, Sterling Road, Nungambakkam,
Chennai 600 034.
 2. The Recovery Officer,
Employees State Insurance Corporation,
143, Sterling Road, Nungambakkam,
Chennai 600 034.
- ... Appellants/Petitioners/Respondents
- vs.

M/s.Tehzeeb Katari Textiles Pvt. Ltd.,
138, Pillayar Koil Street,
Oggiam Thorapakkam,
Chennai 600 096.Respondent /Respondent/Petitioner

Civil Miscellaneous Appeal filed under Section 82(2) of the Employees' Insurance Act, against the order dated 03.09.2019 passed by the Employees Insurance Court (Principal Labour Court, Chennai) in I.A.No.1 of 2019 in E.I.O.P.No.69 of 2009, to set aside the same.

For Appellants : Mr.G.Bharadwaj

For Respondent : M/s.T.S.Gopalan & Co.

J U D G M E N T

ESI Corporation has come up with this Appeal seeking to set aside the order dated 03.09.2019 passed by the Employees Insurance Court (Principal Labour Court, Chennai) in I.A.No.1 of 2019 in E.I.O.P.No.69 of 2009.

2. Heard the learned counsel for the parties and perused the material documents available on record.

3. The Principal Labour Court, Chennai has passed the impugned order dated 03.09.2019 in I.A.No.1 of 2019 in E.I.O.P.No.69 of 2009, simply dismissing the Petition in one line, for the reason 'Notice of Hearing not filed'.

4. Today, when the matter is taken up for hearing, learned counsel appearing for the Respondent submitted that, he has no objection for the Appeal being allowed.

5. In view of the above submissions, the order dated 03.09.2019 passed by the Employees Insurance Court (Principal Labour Court, Chennai) in I.A.No.1 of 2019 in E.I.O.P.No.69 of 2009, is set aside and the matter is remitted to the Employees Insurance Court (Principal Labour Court, Chennai) to decide the matter afresh. The Presiding Officer of the Principal Labour Court at Chennai is expected to pass orders judiciously, as, passing of one line order is not an appreciable one.

The Civil Miscellaneous Appeal is allowed with the above direction. No costs. Consequently, connected C.M.P.No.25260 of 2019 is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To:

The Presiding Officer,
The Employees Insurance Court (Principal Labour Court,
Chennai.

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C.M.A.No.4451 of 2019

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