

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 10516 of 2020

Date of Decision: July 23 , 2020.

M/s Pachtantra Environment and Sanitization Control Society (Regd.,) and
another

..... Petitioners

Versus

Employees' State Insurance Corporation and another

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. P.K.Mutneja Advocate
for the petitioners.

LISA GILL, J.

Petitioners seek quashing of order dated 07.07.2020 (Annexure P-4),
passed by respondent no.2, Assistant Director, Employees' State Insurance
Corporation, Panchdeep Bhawan, Sector-19-A, Chandigarh.

Admittedly, an efficacious remedy of appeal under Section 45-AA of
the Employees' State Insurance Act, 1948, is available to the petitioner.

Learned counsel for the petitioner has argued that despite the
availability of the remedy of appeal as above, the present writ petition should be
entertained as the impugned order dated 07.07.2020 (Annexure P-4), is void ab
initio, as proper opportunity of hearing was not provided to the petitioner and
neither were the requisite documents provided, to enable the petitioner to file a
proper and complete reply.

I have heard learned counsel for the petitioner at length but am
unable to agree with the contention as raised.

The argument/s as raised by learned counsel for the petitioner, are

clearly within the ambit of the learned Appellate Authority, who needless to say, shall dwell upon and consider all the aspects as may be raised before it in accordance with law, in case, an appeal is filed before the learned Appellate Authority.

Keeping in view the facts and circumstances as above, I do not find any ground to interfere in this matter, at this stage. Needless to say the petitioner is at liberty to avail the remedy as available to it under the Employees' State Insurance Act, 1948.

It is clarified that there is no expression of opinion on the merits of the controversy.

Writ petition is accordingly disposed of.

July 23, 2020.
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(LISA GILL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No