

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10039 of 2021

Devendra Prasad Yadav, male, aged about 68 years, son of Ram Prasad Yadav,
resident of village- Shilhauri, PS- Marhaura, District- Saran.

... .. Petitioner/s

Versus

1. The Union of India, through the Director-General, Employees' State Insurance Corporation, Ministry of Labour, Govt. of India, New Delhi.
2. The Regional Director, Employees' State Insurance Corporation, Panchdeep Bhawan, Bailey Road, Opp. C.R. Building, Patna.
3. The Deputy Director -cum- Recovery Officer, Employees State Insurance Corporation, Panchdeep Bhawan, Bailey Road, Opp. C.R. Building, Patna.
4. The Assistant Director- cum- Authorised Officer, Employees State Insurance Corporation, Panchdeep Bhawan, Bailey Road, opp. C.R. Building, Patna.
5. The Assistant Provident Fund Commissioner (Compliance), Regional Office, Muzaffarpur.
6. The Branch Manager, State Bank of India, Chhapra Bazar, Chhapra, district Saran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Hemandra Prasad Singh, Sr. Advocate Mr. Anil Kumar, Advocate
For the ESIC	:	Dr. Anshuman, Advocate Mr. Sanjay Kumar, Advocate
For the SBI	:	Mr. Satya Vrat, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
ORAL ORDER

2 22-12-2021 Heard learned counsel for the parties.

Plea of the petitioner is that the order passed by the Authorized Officer is arbitrary in nature as for the period in question, no employee was working with the petitioner.

Admittedly, a remedy of appeal is available to the petitioner under Section 75 of the Employees' State Insurance Act.



In view of the same, counsel for the petitioner submits that he may be permitted to withdraw the petition with liberty to avail such remedy.

Accordingly, the application is dismissed as withdrawn with liberty as aforesaid.

In case, any question of limitation arises, the petitioner shall be at liberty to file an application for condonation of delay, which shall be considered sympathetically.

This Court has no doubt that the authority, in question, shall decide the matter expeditiously.

(Rajan Gupta, J)

J. Alam/-

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