

15.11.2021
SL No. 235
Court No. 10
P.M.

WPA 14878 of 2021

**Surajit Pramanick
Vs
Employees' State Insurance Corporation & Anr.
(Via Video Conference)**

Mr. Purnasish Gupta
Ms. Mary Datta
... for the petitioner

Mr. Soumitra Banerjee
... for the respondent No. 1

Mr. Ravi Kumar Dubey
.... for the respondent No. 2

The petitioner complains that he sustained injury in course of his service with the respondent authorities and suffered "Trauma Rt shoulder joint and Rt clavical region".

The petitioner has alleged that in assessing his disablement and benefit for permanent disablement, the respondent authorities have neither taken into consideration, nor referred to the schedule of his injury in their order dated 12th July, 2021. The petitioner seeks reassessment of his disablement by the authority.

Learned counsel for the respondents submits a letter issued by the Assistant Director (Legal), ESI Corporation on 9th November, 2021 wherefrom it appears that the permanent disablement benefit has been deposited with the bank account of the petitioner on 7th September, 2021.

The petitioner is aggrieved by the said amount and prays for review of the same.

Upon considering the submission made by the parties as well as material on record, the writ petition is disposed of with liberty to the petitioner to approach the respondent authorities for review of the order dated 12th July, 2021 with regard to the extent of disablement of the petitioner with reference to the schedule of his injury and other relevant aspects.

The petitioner is at liberty to file such application before the authority within two weeks from date and the respondent authorities shall dispose of the application within a period of six weeks thereafter after giving reasonable opportunity of hearing to the petitioner.

WPA 14878 of 2021 is disposed of accordingly.

There shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties on usual undertakings.

(Suvra Ghosh, J.)