

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8613 of 2022

M/s Navrup Engineers Corporation Through it partner Vedvyas Singh, aged about 28 years (M), resident of Ward No.- 03, Dakshin Tola, Gara, Naula, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Finance Department, Bihar, Patna.
2. The Employees State Insurance Corporation through its Additional Commissioner cum Regional Director Panchdeep Bhawan, Jawahar Lal Nehru Marg, Patna- 800001.
3. The Additional Commissioner cum Regional Director Employees State Insurance Corporation, Panchdeep Bhawan, Jawahar Lal Nehru Marg, Patna- 800001.
4. The Deputy Director Employees State Insurance Corporation, Panchdeep Bhawan, Jawahar Lal Nehru Marg, Patna- 800001.
5. The Asst. Director Employees State Insurance Corporation, Panchdeep Bhawan, Jawahar Lal Nehru Marg, Patna- 800001.
6. The Recovery Officer Employees State Insurance Corporation, Regional Office, Panchdeep Bhawan, Jawahar Lal Nehru Marg, Patna- 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Lal Mani Sharma, Advocate
For the Respondent/ESIC: Mr. Bindhyachal Rai, Advcoate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL ORDER

3 30-11-2022 Heard learned counsels for the respective parties.

In the instant petition, petitioner has prayed for the
following relief/reliefs:

“(i) For issuance of a writ in the nature of Certiorari for quashing of the orders contained in letter nos. 986 and 987 both dated 29-12-2020 (Annx. - 3 series) passed by the respondent no. 5 by which the respondent no. 5 has directed the petitioner to pay Rs. 3,90,390/- respectively toward the amount of contribution payable in respect of the employees of the unit of the petitioner.

(ii) For issuance of an appropriate writ



for quashing of Letter No. 62 dated 28-4-2021 (Anx. - 4) issued by the respondent no. 5, E.S.I asking the Recovery Officer to recover from the petitioner the amount of Rs. 5,31,171/-.

(iii) For issuance of an appropriate writ directing and commanding the respondents not to realize / recover the aforesaid amount from the petitioner by holding that the petitioner is not liable to pay the aforesaid amount after quashing of the aforesaid orders contained in letter nos. 986 and 987 both dated 29-12-2020 (Anx. 3 series).

(iv) For issuance of an appropriate writ directing and commanding the respondents not to take any coercive action against the petitioner and to defreeze the operation of the account / s of the petitioner in Bank / s which the respondents have freezed.

(v) For any other relief / reliefs of which the petitioner is legally entitled to.”

Perusal of the papers, it is evident that petitioner has a statutory remedy of appeal against impugned orders. Accordingly, the present petition stands dismissed as premature, since petitioner has an alternative remedy. Reserving liberty to the petitioner to invoke appropriate remedy.

The appellate authority is hereby directed to take note of Section 14 of the Limitation Act for the purpose of condonation of delay, if any, in filing appeal.

(P. B. Bajanthri, J)

GAURAV S./-

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