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jdt.

22.06.2022
jb.

W.P.A. 2844 of 2022
(Sk. Muktajul vs. Union of India & Ors.)

Mr. Kamalesh Bhattacharyya
Mr. M. A. Samad
Nayaab Mulla

.... For the Petitioner

Mr. S. C. Prasad

.... For the ESI

The petitioner is aggrieved by an order passed under Section 45A of the Employees State Insurance Act, 1948 on 23rd July, 2021 by the Assistant Director/Authorised Officer imposing an amount of Rs.18,20,735/- upon the petitioner as ESI Contribution in respect of the regular employees. The petitioner submitted a representation before the concerned Authority on 21st September, 2021 for recalling the said order and causing necessary investigation to elicit the truth and prays for direction upon the Authority to consider the representation at the earliest.

Upon consideration of the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner dated 21st September, 2021 within six

weeks from the date of communication of this order, after affording reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law. The decision taken by the Authority shall be communicated to the petitioner within a week thereof.

It is made clear that this Court has not gone into the merits of the case and the petitioner shall be at liberty to place his contentions as made out in the writ petition before the Authority at the time of hearing.

The writ petition being W.P.A. 2844 of 2022 is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)