

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 407 of 2012

National Aluminium Company Limited Appellants
and others

Ms. Pami Rath, Advocate

-versus-

Employees State Insurance Respondents
Corporation and others

None

CORAM:
THE CHIEF JUSTICE
JUSTICE R. K. PATTANAİK

ORDER
27.07.2022

Order No.

02. 1. The Appellants had approached the learned Single Judge against a Show Cause Notice issued by the Employees State Insurance Corporation (ESIC). On the short ground that at the stage of show cause notice there was no case made out for interference, the learned Single Judge has declined to interfere and dismissed the writ petition.
2. In the meanwhile, in the present writ appeal, no interim order has been passed by this Court thus far. Learned counsel appearing for the Appellants informs the Court that the adjudication order on the show cause notice was passed and an appeal has been filed and is pending before the appellate authority under the ESI Act. The only clarification sought is that no observation of the learned Single Judge on merits in the impugned order will influence the appellate authority while considering the appeal.

3. It is clear that whatever observations are made by the learned Single Judge on merits in the impugned order, were not meant to be conclusive since the adjudication of the show cause notice had not yet taken place.

4. Consequently, while clarifying that no observation on merits by the learned Single Judge will influence the appellate authority dealing with the Petitioner's appeal under the ESI Act, the appeal is disposed of.

S. Behera

