



C.R.P.(PD)Nos.736 & 741 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.06.2022

CORAM:

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

C.R.P.(PD)No.736 & 741 of 2022

and

CMP.Nos.3698 & 3708 of 2022

M/s.Poshak Industries,
No.15, Race Course Road,
Guindy,
Chennai 600 032.

... Petitioner in both cases

Versus

The Deputy Director,
Regional Office,
Employees State Insurance Corporation,
143, Sterling Road,
Chennai 600 034.

... Respondent in both cases

COMMON PRAYER: Civil Revision Petitions filed under Article 227 of the Constitution of India to set aside the orders of Employees State Insurance Court/Principal Labour Court, Chennai dated 28th December 2021 in I.A.NoS.1 & 1 of 2021 in EIOP.Nos.100 & 101 of 2004.

In both cases

For Petitioner : Mr.S.Haroon

For Respondent : Mr. G. Bharadwaj for ESIC

Standing Counsel



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COMMON ORDER

These Civil Revision Petitions are filed against the order passed in I.A.Nos.1 & 1 of 2021 in EIOP.Nos.100 & 101 of 2004 passed by the learned Employees State Insurance Court, [Principal Labour Court], Chennai.

2. When the matters were taken up for hearing, the learned counsel for the respondent submitted that an appeal will lie in this regard and the present Civil Revision Petitions cannot be filed. He relied on the order passed in C.R.P.(NPD) No.447 of 2020 by this Court and referred to the following Judgments cited in the order:

- (i) **[2019 (5) CTC 696] *Virudhunagar Hindu Nadargal Dharma Paribalana Sabai and others Vs. Tutucorin Educational Society and others;***
- (ii) **[(2006) 1 LLJ 785] *Cal [Employees State Insurance Corporation and others Vs. Hotel Airport Asho and another];*and**
- (iii) **[MANU/PH/1263/2011] *Sulabh International Social Service Organisation Vs. Employees State Insurance Corporation and others.***



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3. It was held in the above judgments that only an appeal is maintainable. Therefore, Registry is directed to return the papers to convert the Civil Revision Petitions to Civil Miscellaneous Appeals.

4. In view of the order passed in Civil Revision Petition in C.R.P.(NPD) No.447 of 2020, this Court directs the Registry to return the papers to the learned counsel on record for the petition for enabling the conversion of the Civil Revision Petitions to Civil Miscellaneous Appeals and the said process shall be completed within a period of two weeks from the date of resubmission of the returned.

5. Accordingly, these **Civil Revision Petitions are Disposed of**. No costs. Consequently, connected miscellaneous petitions are also closed.

08.06.2022

Index: Yes/ No
Speaking Order / Non-Speaking Order

jrs



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R.N.MANJULA, J

jrs

To:

The Employees State Insurance Court,
[Principal Labour Court],
Chennai.

Order made in
C.R.P.(PD)Nos.736 & 741 of 2022

Dated:
08.06.2022