

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18543 of 2022

Amjad Abdul Hai S/o Abdul Hai, R/o- 308, Ratnagiri Apartment, Bailey Road, Raja Bazar, Near Paras HMRI, Samanpura, Rukanpura, P.S.- Shastri, Dist- Patna.

... .. Petitioner/s

Versus

1. The Union of India through its Additional Secretary, Ministry of Labour and Employment, Government of India, Delhi.
2. The Regional Director, Employees State Insurance Corporation, Regional Office, Patna, Bihar.
3. The Assistant Director, Employees State Insurance Corporation, Regional Office, Patna, Bihar.
4. The Recovery Officer, Employees State Insurance Corporation, Regional Office, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Adil Abbas, Advocate
For the Respondent/s : Mr. Additional Solicitor General

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

2 11-01-2023 In the instant petition, petitioner has prayed for the following reliefs:-

"(i) For issuance of a writ or writs in the nature of certiorari quashing the order passed by the Respondent No. 3 to pay the sum of Rs. 6,79,962/- as contribution in Employees' State Insurance Fund vide letter no. 42001587260000699/92820211255, dated 28.09.2021.

(ii) For issuance of writ or writs in the nature of mandamus commanding and directing the Respondent No. 3 to reassess the contribution amount, i.e., Rs. 6,79,962/- and to follow the principle of natural justice, i.e. providing opportunity of being heard, thereby allowing the Petitioner to represent his case before the



appropriate authority.

(iii) For issuance of writ or writs in the nature of mandamus commanding and directing the Respondent No. 4 to defreeze the bank account of the company which the Petitioner owns so that he can make his part of payment on the behalf of his company as contribution in the Employees' State Insurance Fund.

(iv) For issuance of such other order or orders as your Lordship may deem fit and proper to secure the ends of justice."

The present petition is premature in view of the fact that petitioner has statutory remedy of appeal before the appellate authority under Employees' State Insurance Act, 1948. Accordingly, the present petition stands disposed off reserving liberty to invoke remedy of appeal before the appellate authority under the Employees' State Insurance Act, 1948.

(P. B. Bajanthri, J)

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