

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2178 of 2024

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1. The Secondary Delhi Public School through its Secretary, Devendra Kumar Pathak, Shahid Bhagat Singh Colony, Mustafabad, P.S.- Rampur, District- Gaya.
 2. Devendra Kumar Pathak, Son of Shri Gopal Pathak, Resident of House No. 439, A. P. Colony, P.S.- Rampur, District- Gaya.

... .. Petitioner/s

Versus

1. The Employees State Insurance Corporation through its Director General, Asik Bhawan, Firoj Sah Kotla Marg, New Delhi.
2. The Regional Director of the Employees, State Insurance Corporation, Jawahar Lal Nehru Marg, Patna.
3. The Assistant Director- Cum- Authorised Officer, Employees State Insurance Corporation, Regional Office, Panchdeep Bhawan, Jawahar Lal Neharu Marg, Patna - 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Mishra
For the Respondent/s : Mr.Sudhir Kumar Bijpuria

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL ORDER

9 02-12-2024 Having regard to the fact that the petitioner has an alternative and efficacious remedy of appeal under section 75 of the Employees State Insurance Act, this Court is not inclined to entertain the present CWJC. Without going into the merits or demerits of the case, the present CWJC is disposed of with the consent of both the parties at the admission stage.

2. The present CWJC is disposed of granting liberty to the petitioner file a statutory appeal provided under the Act against the order 27.02.2024 (Annexure P/6 to the I.A. 01 of 2024) within a period of four weeks from today. On such appeal



being filed, the appellate authority shall take the same on file and pass a reasoned orders duly advertng to the grounds raised by the petitioner. Needless to observe that the petitioner shall be granted an opportunity of hearing before any orders are passed. The entire exercise shall be completed as expeditiously as possible preferably within a period of twelve weeks from the date of receipt of the appeal. Any order passed shall be communicated to the party. The petitioner is free to raise all grounds in the memo of appeal and the same shall be dealt with in accordance with law on its own merits.

3. With the above observations, the CWJC stands disposed of.

(A. Abhishek Reddy , J)

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