

30. 04. 2024

BP
Sl. 8
Court No. 23

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 9914 of 2024

M/s. Diamond Silk Khadi Society & Anr.
Vs.
Employees' State Insurance Corporation & Ors.

Mr. Victor Chatterjee
Mr. Barnamoy Basak
..for the petitioners

Mr. Arindam Maitra
..for ESIC

It is submitted by the respondents that the letter dated 8th March, 2024 issued to the petitioners' banker attaching the same for unpaid ESI dues have been withdrawn consequent upon which the accounts are operational now. The appeal preferred by the writ petitioners challenging the order of the Controlling Authority is pending adjudication on merits.

In the aforesaid facts and circumstances, I dispose of the writ petition as there remains no further issue to be decided. Parties shall contest the proceedings under Section 45AA of the Employees State insurance Act, 1948 (in short ESI Act) Appellate Authority and take all diligent steps to safeguard their respective interest. The appeal should be disposed of on merits without being influenced in any manner

whatsoever by any observation made herein on each issues afresh after hearing the parties and granting them reasonable opportunity of representation. The Appellate Authority shall dispose of the appeal within a period of six months from date.

Nothing further remains to be adjudicated in this writ petition and the same is accordingly disposed of.

Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Arindam Mukherjee, J.)