

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

WPO/1842/2023
BHASKAR DUTTA GUPTA
VS
EMPLOYEES STATE INSURANCE CORPORATION AND ANR

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : 16th January, 2024.

Appearance :
Mr. D. Gupta, Adv., for petitioner.
Mr. A. Maitra, Adv., for ESIC

The Court: 1. This Court had recorded in the order dated January 2, 2024 that the impugned notice asking for contributions towards ESI from September 2017 to August 2023 is barred by section 45A of the ESI Act.

2. In that view of the matter, the notice dated November 6, 2023 shall stand quashed and set aside. The undated one page report of the Assistant Director(Legal), ESI Corporation is kept on record.

3. The ESI authorities shall, however, not be prevented from taking any other measures or initiating any other proceedings that they are entitled to under the ESI Act, 1948 and the Regulations framed thereunder in accordance with law.

4. With the aforesaid directions, the writ petition stands disposed of.

(RAJASEKHAR MANTHA, J.)