



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

905 WRIT PETITION NO. 13016 OF 2023

NIRMALA MURLIDHAR KULKARNI

....Petitioner

VERSUS

EMPLOYEES STATE INSURANCE CORPORATION

.....Respondent

Mr. Nawathe Vikas R., Advocate for the Petitioner

Mr. N. K. Chaudhari, Advocate for the Respondent

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRADE, JJ.

DATE : 1st February, 2024

ORDER:

1. The deceased husband of the Petitioner was an insured person (IP) under the provisions of the Employees State Insurance Corporation Act, 1948. By the impugned communication dated 22.11.2022, the ESIC authorities have informed the Petitioner that, her claim that her deceased husband died on account of accident arising out of and in the course of employment, is rejected.

2. Since the deceased employee was an IP, the learned Advocate for the Petitioner submits that the Petitioner would avail of a remedy as may be statutorily permissible under the ESIC Act before the ESI Court or under the Employees Compensation Act before the Labour Court, as may be advised. With such liberty kept open, **this Petition is disposed off** as withdrawn on instructions.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)