

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

FIRST APPEAL NO.1644 OF 2024

M/S. Om Sai Enterprises Thr. Its

Proprietor Mr. D. Srinivasulu Reddy

... Appellant

V/s.

The Regional Director, Employee State

Insurance Corporation, Mumbai & Anr.

... Respondents

WITH

INTERIM APPLICATION NO.13535 OF 2024

IN

FIRST APPEAL NO.1644 OF 2024

Mr. Aumkar V. Joshi for the Appellant.

Ms. Seema Chopda for the Respondents.

CORAM : ARIF S. DOCTOR, J.

DATE : 27TH NOVEMBER 2024

P.C. :

1. The captioned First Appeal impugns the Judgement and Order dated 13th March 2024 passed by the Learned Judge, Employees' Insurance Court, Mumbai in Application (ESI) No.10 of 2020. The said Application has been filed under Sections 75 and 77 of the Employees' State Insurance Act,

1948 (*the said Act*) to quash and set aside an order dated 4th May 2016 passed under Section 45-A of the said Act.

2. It is the primary grievance of the Learned Counsel appearing on behalf of the Appellant that the order, which was passed under Section 45-A, was passed without giving notice to the Appellant and without following the prescribed mandatory procedure.

3. It was however observed that the said order has not been annexed to the present Appeal. In my view, the same is expressly relevant given the arguments which have been advanced.

4. Learned Counsel appearing on behalf of the Appellant thus seeks leave to annex the said order along with compilation of all relevant documents. He may do so on or before the next date.

5. Stand over to 11th December 2024.

(ARIF S. DOCTOR, J.)