IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

MONDAY, THE 29TH DAY OF JULY 2024 / 7TH SRAVANA, 1946

OP(C) NO. 1616 OF 2024

IC NO.869 OF 2024 OF E.I.COURT, KOZHIKODE

PETITIONER/APPLICANT:

AROOHA TOURS AND TRAVELS PVT. LTD.,
REGISTERED AT: @ND FLOOR, FAIR MOUNT TOWER,
MAVOOR ROAD, KOZHIKODE-673 004;
REPRESENTED BY ITS MANGING DIRECTOR:
ZAID AMEEN P T; AGED: 33; S/O P T MUHAMMED;
RESIDING AT: PEEDIKATHODUKAYIL HOUSE,
KODUVALLY, KOZHIKODE, PIN - 673572

BY ADVS.
SAMEER M NAIR
T.S.SARATH
R.RAJESH (VARKALA)
MANU RAMACHANDRAN
M.KIRANLAL
SAILAKSHMI MENON

RESPONDENTS/OPPOSITE PARTIES:

1 **REGIONAL DIRECTOR**
ESI CORPORATION; OFFICE AT: SUB REGIONAL OFFICE,
ESI CORPORATION, HOUSEFED COMPLEX, ERANHIPALAM,
KOZHIKODE, PIN - 673006

2 **DEPUTY DIRECTOR**
ESI CORPORATION; OFFICE AT: SUB REGIONAL OFFICE,
ESI CORPORATION, HOUSEFED COMPLEX, ERANHIPALAM,
KOZHIKODE, PIN - 673006

3 **SOCIAL SECURITY OFFICER**
ESI CORPORATION; OFFICE AT: SUB REGIONAL OFFICE,
ESI CORPORATION, HOUSEFED COMPLEX, ERANHIPALAM,
KOZHIKODE, PIN - 673006

4 **RECOVERY OFFICER**
ESI CORPORATION; OFFICE AT: SUB REGIONAL OFFICE,
ESI CORPORATION, HOUSEFED COMPLEX, ERANHIPALAM,
KOZHIKODE, PIN - 673006

5 **ABDULLA UMER NASEEF**

**S/O ABDUL KHADER; AGE NOT KNOWN TO APPLICANT;
TOUR CONSULTANT; RESIDING AT: KALATHINGAL HOUSE,
KOLATHARA POST, CHERUVANUR SRAMBAI,
KOZHIKODE, PIN - 673655**

OTHER PRESENT:

ADV.AJAY KUMAR

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 29.07.2024, ALONG WITH OP(C) NO.1617 OF 2024 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE VIJU ABRAHAM

MONDAY, THE 29TH DAY OF JULY 2024 / 7TH SRAVANA, 1946

OP(C) NO. 1617 OF 2024

IC NO.868 OF 2024 OF E.I.COURT, KOZHIKODE

PETITIONER/APPLICANT:

**AROOHA TOURS AND TRAVELS PVT. LTD
REGISTERED AT: @ND FLOOR, FAIR MOUNT TOWER,
MAVOOR ROAD, KOZHIKODE-673 004;
REPRESENTED BY ITS MANGING DIRECTOR:
ZAID AMEEN P T; AGED: 33; S/O P T MUHAMMED;
RESIDING AT: PEEDIKATHODUKAYIL HOUSE,
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**BY ADVS.
SAMEER M NAIR
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ESI CORPORATION; OFFICE AT: SUB REGIONAL OFFICE,
ESI CORPORATION, HOUSEFED COMPLEX, ERANHIPALAM,**

KOZHIKODE, PIN - 673006

5 ABDULLA UMER NASEEF
/O ABDUL KHADER; AGE NOT KNOWN TO APPLICANT;
TOUR CONSULTANT; RESIDING AT: KALATHINGAL HOUSE,
KOLATHARA POST, CHERUVANUR SRAMBAI,
KOZHIKODE, PIN - 673655

OTHER PRESENT:

ADV.AJAY KUMAR

THIS OP (CIVIL) HAVING COME UP FOR ADMISSION ON 29.07.2024, ALONG WITH OP(C) NO.1616 OF 2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

VIJU ABRAHAM, J.

.....

O.P(C). Nos.1616 & 1617 of 2024

.....

Dated this the 29th day of July, 2024

JUDGMENT

The above original petitions have been filed seeking expeditious consideration of Insurance Cases filed by the petitioner before the Employees Insurance Court, Kozhikode and in the meanwhile to stay all further proceedings pursuant to Ext.P1 produced in both the original petitions.

2. The contention of the petitioner is that the Employees Insurance Court, Kozhikode is having charge of four districts and is only sitting on Wednesdays of each month's first two weeks and in view of the same, Insurance Case Nos.B-869 of 2024 and B-868 of 2024 will be taken up for consideration only on 07.08.2024 or on 14.08.2024. Petitioner requested for a limited relief of stay of all further proceedings pursuant to Ext.P1 order which is under challenge in Insurance Case Nos.B-869 of 2024 and B-868 of 2024, till the matter is considered by the Employees Insurance Court.

3. Heard the learned standing counsel for the official respondents.

Taking into consideration the limited prayer of the petitioner seeking an interim protection against further proceedings pursuant to Ext.P1 till Insurance Case Nos.B-869 of 2024 and B-868 of 2024 are considered by the court concerned, I am inclined to dispose of the original petitions directing

the official respondents to keep in abeyance all further proceedings pursuant to Ext.P1 for a period of three weeks from today.

With the above direction the Original Petition is disposed of.

Sd/-

VIJU ABRAHAM
JUDGE

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APPENDIX OF OP(C) 1616/2024

PETITIONER EXHIBITS

Exhibit P1	**A TRUE COPY OF ORDER UNDER SECTION 45A OF ESIC ACT AGAINST PETITIONER FOR 04/2021 TO 01/2023 DATED 12.06.2023**
Exhibit P2	**A TRUE COPY OF THE NOTICE ISSUED BY 4TH RESPONDENT DATED 08.02.2024**
Exhibit P3	**A TRUE COPY OF SCREEN SHOT OF MOBILE INTERFACE OF PETITIONER'S BANK ACCOUNTS AS ON 12.03.2024**
Exhibit P4	**A TRUE COPY OF SCREEN SHOT OF MOBILE INTERFACE OF PETITIONER'S BANK ACCOUNTS WITH FEDERAL BANK**
Exhibit P5	**A TRUE COPY OF JUDGMENT OF THIS HON'BLE COURT IN WPC 10238 OF 2024 DATED 14.03.2024**
Exhibit P6	**A TRUE COPY OF LETTER ISSUED BY FEDERAL BANK TO PETITIONER AS ON 22.03.2024**
Exhibit P7	**A TRUE COPY TRANSACTION DETAIL DATED 25.03.2024 ISSUED FOR PAYMENT INTO CONTRIBUTION DETERMINATION ORDER FOR EXT.P1 ORDER**
Exhibit P8	**A TRUE COPY OF JUDGMENT IN WPC 15321 OF 2024 DATED 26.06.2024**
Exhibit P9	**A TRUE COPY INSURANCE CASE APPLICATION HAVING FILING NO. B-869 OF 2024 PENDING BEFORE HON'BLE EMPLOYEES INSURANCE COURT, KOZHIKODE DATED 15.07.2024, FILED ON 24.07.2024**

APPENDIX OF OP(C) 1617/2024

PETITIONER EXHIBITS

Exhibit P1	**A TRUE COPY OF ORDER UNDER SECTION 45A OF ESIC ACT AGAINST PETITIONER FOR 01.04.2019 TO 31.03.2020 DATED 12.06.2023**
Exhibit P2	**A TRUE COPY OF THE NOTICE ISSUED BY 2ND RESPONDENT TO 4TH RESPONDENT AS ON 20.11.2023**
Exhibit P3	**A TRUE COPY OF THE NOTICE ISSUED BY 4TH RESPONDENT DATED 08.02.2024**
Exhibit P4	**A TRUE COPY OF SCREEN SHOT OF MOBILE INTERFACE OF PETITIONER'S BANK ACCOUNTS AS ON 12.03.2024**
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Exhibit P9	**A TRUE COPY OF JUDGMENT IN WPC 15321 OF 2024 DATED 26.06.2024**
Exhibit P10	**A TRUE COPY INSURANCE CASE APPLICATION HAVING FILING NO. B-868 OF 2024 PENDING BEFORE HON'BLE EMPLOYEES INSURANCE COURT, KOZHIKODE DATED 24.07.2024**