

28.08.2025

Ct. No. 30

S.L No. 5

MKP

WPA 14580 of 2025

M/S. Dinesh Infraprojects Private Limited

Vs

Union of India and Ors.

Mr. Nikhil Kr. Gupta

Mr. Avi Dey

.....for the Petitioner.

Mr. Goutam Sardar

Mr. Goutam Malik

.....for Union Of India.

Mr. Shiv Shankar Banerjee

.....for the Respondent no.2 to 4.

The writ application has been preferred challenging an order dated 01.07.2024 under Section 45A and 15.05.2025 under Section 45AA. It is submitted by the Learned Counsel of the respondent E.S.I. that the said order is appealable under Section 75 of the E.S.I. Act and the petitioner should prefer an appeal accordingly.

In view of the said facts, the writ application is disposed of with liberty granted to the petitioner to approach the E.S.I. Court under Section 75 of the E.S.I. Act, within 30 days from the date of this order. The period of limitation is extended accordingly in the interest of justice.

Pending hearing of the appeal, the order dated 15.05.2025 under Section 45AA of the E.S.I. be stayed till disposal of the appeal.

In case, no appeal is preferred as per leave granted the order of stay shall stand automatically vacated and the authorities shall be at liberty to proceed in accordance with law.

Writ application stands **disposed of**.
Applications, if any, connected thereto stand disposed of consequently.

Interim order, if any, stands vacated.

Photostat certified copy of this order, if applied for, be given to the parties on priority basis upon compliance of all formalities.

[Shampa Dutt (Paul). J]