

06.02.2025
Ct. No. 30
S.L No. 8
SM

WPA 28431 of 2024
M/S. Apa Transport Agency
Vs
Employees' State Insurance Corporation & Ors.

Mr. Chandrachur Chatterjee
.....for the petitioner

Mr. Rajib Ray
Ms. Oishanee Ghosh
.....for the respondent nos. 1 to 5

1. Affidavit-of-service filed is taken on record.
2. The present writ application has been preferred against a demand notice dated 1st December, 2023 issued by the Assistant Director ESI wherein an amount of Rs. 1,01,762/- has been sought to be recovered as per the order dated 19.04.2024 passed by the Assistant Director and Authorized Officer under the Act.
3. On perusal of the said order dated 19.04.2024 it appears that in spite of being granted several opportunities the petitioner employer in spite of notice failed to appear.
4. The Assistant Director having no other alternative, considering the materials on record passed the said order under challenge.
5. It appears from the said order that the same has been passed on the basis of documents available with the authority. The petitioner herein admittedly did not

respond to the notice and as such did not appear for the hearing and has now challenged the said notice dated 01.12.2023.

6. Considering the conduct of the petitioner the nature of relief prayed for, this Court finds no reason to interfere with the order under challenge which has been passed under a beneficial legislation.

7. The writ petition is dismissed.

8. Recovery of proceedings be concluded expeditiously.

9. Pending applications, if any, stands disposed of.

10. Interim order, if any, stands vacated.

11. Urgent Photostat certified copy of this order, if applied for, be given to the parties, upon usual undertakings.

[Shampa Dutt (Paul). J]