

WPO/412/2025

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

ROBINSON INTERNATIONAL PVT.
LTD.

-VERSUS-

EMPLOYEES' STATE INSURANCE
CORPORATION AND ORS.

BEFORE:

The Hon'ble JUSTICE SHAMPA DUTT (PAUL)

Date : 26th June, 2025.

Appearance:

Mr. Soumya Majumder, Sr. Adv.

Mr. Ravi Kumar Dubey, Adv.

.... for the petitioner.

Mr. Shiv Chandra Prasad, Adv.

...for the ESI authorities.

The Court: The writ application has been preferred praying for a direction on the respondents not to give effect to the prohibitory order/orders dated 2nd June, 2025 and any other notices of demand/recovery orders in relation to the period of 12/2010 to 07/2016, till the disposal of the instant writ application and to remove the lien marked on the bank accounts of your petitioner maintained with the respondent bank.

Learned counsel appearing for the ESI authorities has appeared and submitted that the orders, on the basis of which the recovery notices have been issued, were passed under Section 45A of the ESI Act, 1948 and as such, the same are appealable under Section 45AA of the ESI Act. In view of the said fact, the writ application is not maintainable.

Learned senior counsel appearing for the petitioner submits that his client has not received copies of the orders passed under Section 45A of the ESI Act and, as such, is unable to prefer an appeal.

Considering the said submission, Mr. Prasad, learned counsel appearing for the ESI authorities shall serve copies of all relevant documents including the orders under Section 45A of the ESI Act upon the learned counsel for the petitioner by 10th July, 2025. The petitioner is granted leave to prefer an appeal under Section 45AA of the ESI Act within 30 days thereafter, in accordance with law.

The petitioner shall be at liberty to pray for necessary relief before the appellate authority.

All the recovery notices issued and the order dated 12th June, 2025 passed by this Court shall remain in force till filing of the appeal. The period of limitation for the purpose of filing of the appeal be extended till the period as indicated above.

The writ application (WPO/412/2025) is disposed of.

It is made clear that this Court has not gone into the merits of the case.

(SHAMPA DUTT (PAUL), J.)