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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 7930/2025 & CM APPL. 34894-95/2025**

DIPAWALI

.....Petitioner

Through: Ms. Meghna De and Ms. Surbhi Bagra,
Advocates.

versus

**EMPLOYEE STATE INSURANCE
CORPORATION AND ANR**

.....Respondents

Through: Mr. Shlok Chandra, Standing Counsel,
for ESIC with Mr. Parikshit Singh
Bhati, Advocate for R-1.
Mr. S Rajappa R Gowrishankar and
Ms. G. Dhivyasri, Advocates for
Respondent No.2

**CORAM:
HON'BLE MR. JUSTICE AMIT SHARMA**

ORDER
11.08.2025

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1. This hearing has been done through hybrid mode.
2. The present petition under Article 226/227 of the Constitution of India seeks the following prayers:

- a. Issue an appropriate writ, order or direction for ensuring the surgery and treatment of the Petitioner in any of Respondent No.1's hospital;
- b. Issue an appropriate writ, order or direction, directing Respondent No. 1 to withdraw medical fitness certificate issued by it without any consideration to the actual health of the Petitioner.
- c. Issue an appropriate writ, order or direction to direct the Respondent No. 2 to make payment of unpaid contributions of the employer and the employee to the Respondent No. 1 along with any delay charges;
- d. Issue an appropriate writ, order or direction to direct the



Respondent No.2 to ensure that timely contributions are made to Respondent No. 1 in respect of the Petitioner;

e. Issue an appropriate writ, order or direction, directing the Respondent No. 2 to grant complete paid medical leave to the Petitioner for the duration of her surgery and treatment.

f. Pass any such other or further order as this Hon'ble Court may deem fit and appropriate in the facts and circumstances of the case in favour of the Petitioner.”

3. Learned counsel for respondent no. 2 submits that on a representation being moved to the latter, the same will be decided after following due process of law including giving personal hearing to the petitioner and pass a speaking order.

4. In view of the above, the learned counsel for the petitioner does not wish to press the present petition at this stage.

5. Let this petition be treated as a representation on behalf of the petitioner to be considered by respondent no. 2 in accordance with law, after giving a personal hearing to the petitioner and pass a speaking order within a period of 4 weeks.

6. Needless to say, on receipt of the said order, the petitioner will be at liberty to initiate appropriate proceedings in accordance with law before the Court of competent jurisdiction.

7. With the aforesaid directions, the petition is disposed of.

8. Pending application(s), if any, also stands disposed of.

AMIT SHARMA, J

AUGUST 11, 2025/bsr/dj