

29.06.2026
Item No.4
Ct. No. 30
Aloke

WPA 13617 of 2026

**M/s. Global Force Management Services Pvt. Ltd.
Vs.
Employees State Insurance Corporation & Anr.**

Mr. Uddipan Banerjee
Mr. Rahul Bhowmik
... for the petitioner

1. Affidavit-of-service filed be kept with the record.
2. The writ application has been preferred praying for direction upon the learned Judge, Employees Insurance Court to hear the injunction application and application under Section 49(2) of the Code on Social Security, 2020, corresponding to Section 75(2B) of the Employees State Insurance Act, 1948, forthwith preferably within two working days.
3. Admittedly, the matter is pending before the ESI Court but the grievance of the petitioner is that the next date fixed on 5th August, 2026 and the petitioner has been served with a prohibitory order dated 29th May, 2026, in the meantime, which even though the matter is pending before the ESI Court and a long date has been fixed.
4. Admittedly, the petitioner has not approached the ESI Court for preponing the date of hearing.

5. Learned counsel for the petitioner relies upon an order passed by this Court in another writ application stating that under similar circumstances he was given protection by this Court.
6. It appears that it has become a habit of approaching the High Court, without approaching the concerned Court where the matter is pending (sub judice) and such conduct should not be encouraged.
7. Accordingly, the writ application is disposed of with liberty granted to the petitioner to move the ESI Court with a prayer for early hearing, in view of the urgency as made out, the ESI Court shall prepone the date as per convenience of the Court and also on considering the urgency of the petitioner as made out.
8. The ESI Court shall then proceed to consider the petitioner's prayer on merit and decide the same in accordance with law
9. WPA 13617 of 2026 is disposed of.
10. Connected application, if any, stands disposed of.
11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Shampa Dutt (Paul), J.)