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

\# **CNR No. DLHC010512932026**

\+ W.P.(C) 15728/2026, CM APPL. 73712/2026

ANOOPA SRIVASTAVA .....Petitioner

Through: Mr. Ved Prakash Tripathi, Adv.

versus

EMPLOYEES STATE INSURANCE CORPORATION & ANR. .....Respondents

Through: Mr. Manish Kumar Saran and Mr. Sidhant Sharma, Advs. for R-1.

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

O R D E R

% 27.10.2026

1. Writ Petition under Article 226 of the Constitution of India has been filed on behalf of the Petitioner against the Respondents for quashing of Communication dated 04.10.2023 given by ESIC, vide which, Compliant filed by the Petitioner has been dismissed.

2. Perusal of this Communication dated 04.10.2023 reflects that first Complaint was made on 22.08.2022, wherein head injury suffered by deceased on 14.01.2022, who expired on 10.06.2022 at 10:05 PM, was certified as death due to intracranial bleed / septicemia / cardiac arrest, which is terminal sequelae of Chronic disease / ascietes / portal HNN Splenomegaly.

3. Second Application was filed on 12.12.2022, wherein fresh enquiry was conducted and similar observations were made and Complaint was dismissed on 04.08.2023.

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4. Learned counsel for the Petitioner submits that Petitioner's grievance is that no documents, supporting the decision of ESIC, have been provided to her. But submits that Petitioner would move appropriate Application under Right to Information Act to get the documents.

5. Learned counsel for the Respondents appears on advance Notice, accepts Notice and submits that not once, but twice, the Petitioner's Complaint has been dismissed. The matter pertains to December, 2022 to September, 2023 and Petitioner has alternate remedy under Section 75 of the Employees' State Insurance (ESI) Act, 1948. It is therefore, submitted that present Writ Petition is not maintainable.

6. Learned counsel for the Petitioner seeks permission to withdraw present Petition along with liberty to pursue the remedy in accordance with law.

7. Accordingly, present Contempt Petition along with pending Applications stands dismissed as withdrawn with liberty to the Petitioner to pursue the remedy in accordance with law.

NEENA BANSAL KRISHNA, J.

OCTOBER 27, 2026/*R*

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