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

+ **FAO 67/2026 and CM APPL. 13292/2026**

M/S AMBUJA CONSTRUCTION CO

.....Appellant

Through: Mr.Sandeep Sharma and Mr.Abhishek
Kaushik, Advocates

versus

EMPLOYEE STATE INSURANCE CORPORATION AND ANR

.....Respondents

Through: Mr.Shlok Chandra, Standing Counsel for
ESIC with SSO Arvind Kumar Bansal

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

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26.02.2026

1. By way of the present appeal filed under Section 82 of the Employees' State Insurance Act, 1948, the appellant seeks to assail the order dated 17.09.2025 passed by the learned Senior Civil Judge-cum-RC, Karkardooma Courts, Delhi in ESIC Case No.7/2022.
2. Learned counsel for the appellant contends that being the applicant before the Employees Insurance Court, two-fold challenges were raised, i.e. to the Show Cause Notice dated 07.09.2021 as well as the subsequent Demand Notice dated 26.11.2021.
3. After hearing the submissions of both the counsels, learned counsels admit that the impugned judgment had returned its finding only on the first aspect, that is show cause notice. There is no analysis done or findings returned on the aspect of demand notice. Learned counsels further jointly pray that the matter be remanded back to the concerned Court for the



aforesaid purpose.

4. In view of the above, the present matter is remanded back and be listed before the concerned Court on 10.03.2026 at the first instance.

5. At this stage, learned counsel for the appellant submits that pursuant to the passing of the aforesaid order, the respondents have approached the petitioner's bank for attachment of the accounts.

6. Learned counsel for the respondents submits that he has no instructions on the aforesaid aspect. Be that as it may, considering that the matter has been remanded back, it is directed that no further action be taken on the demand notice till its adjudication before the Court concerned. In case any recovery has been made by the respondent, the same be refunded to the petitioner within a period of two weeks from today.

7. In view of the above, the present appeal is disposed of alongwith the pending application.

MANOJ KUMAR OHRI, J

FEBRUARY 26, 2026

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