

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.39564 of 2023

**Asit Bisoyi**

....

**Petitioners**

*Mr. S.K. Mohanty,  
Advocate*

-versus-

**Director General ESIC,  
Panchadeep Bhawan, New  
Delhi & others**

.... **Opposite Parties**

*Mr. A.P. Ray,  
Advocate*

**CORAM: JUSTICE SANJAY KUMAR MISHRA**

**ORDER  
08.01.2024**

**Order No.**

**02.**

This matter is taken up through hybrid mode.

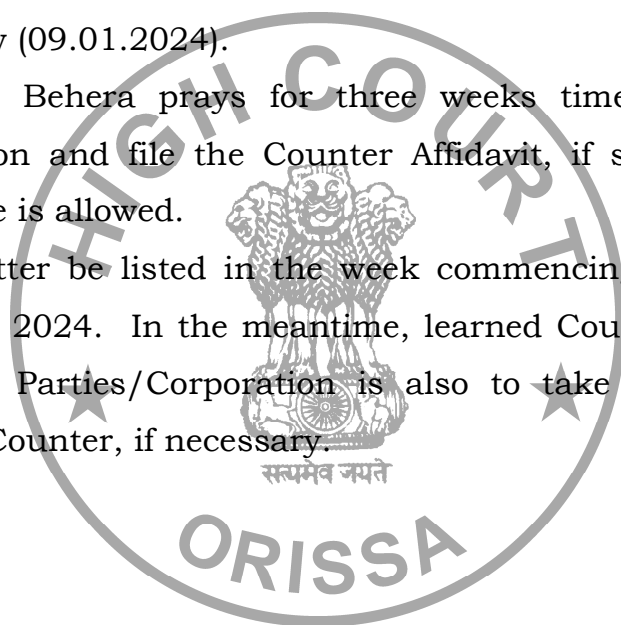
2. Learned Counsel for the parties are present.
3. Mr. Ray, learned Counsel for the Opposite Parties/Corporation, drawing attention of this Court to the provision enshrined under section 58 of the Employees' State Insurance Act, 1948, read with Regulation-96-A of the Employees' State Insurance (General) Regulations, 1950 so also the extract from the Employees' State Insurance Medical Manual and relying on the provision under Clause-3.30 with regard to reimbursement of expenses incurred in respect of medical treatment under Regulation-96-A submits, it is the responsibility of the State Government to reimburse the expenses in respect of medical treatment of the insured person and his family.

4. In view of the submissions made by Mr. Ray, learned Counsel for the Opposite Parties/Corporation, Mr. Behera, learned Additional Standing Counsel for the State submits, the Opposite Party No.2 being an Officer of the State, on whom notice has been duly served, he is competent to represent the said Opposite Party. Mr. Behera, learned ASC submits, an extra copy of the Writ Petition be served on him enabling him to take instruction with regard to the prayer made in the Writ Petition.

5. Learned Counsel for the Petitioner undertakes to serve an extra copy of the Writ Petition on the State by tomorrow (09.01.2024).

6. Mr. Behera prays for three weeks time to obtain instruction and file the Counter Affidavit, if so required. The same is allowed.

7. Matter be listed in the week commencing from 29<sup>th</sup> January, 2024. In the meantime, learned Counsel for the Opposite Parties/Corporation is also to take instruction and file Counter, if necessary.



Prasant

**(S. K. Mishra)**  
**Judge**