

**Court No. - 2**

**Case :-** WRIT - C No. - 15568 of 2021

**Petitioner :-** M/S Mathura Polypack Pvt. Ltd

**Respondent :-** The Regional Director Esic

**Counsel for Petitioner :-** Uma Kant Misra

**Hon'ble Suneet Kumar,J.**

Computer section to correct the description of the petitioner.

Heard learned counsel for the petitioner and Sri Brahm Dev Dwivedi, learned counsel for the respondents.

By the instant petition, petitioner is assailing the order dated 20.12.2018 passed by the second respondent, Deputy Director, Employees State Insurance Corporation, Panchdeep Bhawan, Sarvodaya Nagar, Kanpur, under section 45-A of the Employees State Insurance, Act, 1948 (for short 'Act'), directing recovery at Rs. 2,25,225/- towards contribution of the employees.

The impugned order notes that the petitioner was given two opportunities, duly served upon the petitioner by speed post/registered post to appear and show cause, however, petitioner did not appear, consequently, the impugned ex-parte order came to be passed.

Sri Dwivedi, submits that amount has already been recovered from the employer. Petitioner has efficacious statutory remedy under section 45-AA of the Act.

This fact is not being disputed by learned counsel for the petitioner.

In view thereof, the writ petition is dismissed as withdrawn with liberty to the petitioner to file statutory appeal, in accordance with law.

**Order Date :-** 22.7.2021

K.K. Maurya