

**BEFORE THE EMPLOYEES' STATE INSURANCE COURT
AT MYSURU**

E.S.I. APPLICATION NO.68/2022

Applicant: M/s.Sarvadeivatha Education Trust,
Gonikoppal. Kodagu District.

-Vs-

Respondents: 1. The Deputy Director,
E.S.I. Corporation,
Mysuru.
2. The Recovery Officer,
E.S.I. Corporation,
Mysuru.

ISSUES

1. Whether the applicant-establishment proves that the teachers working in the said establishment have took up the avocation of teaching with a consolidated package, whenever the payment of remuneration arose, hence, they are not eligible for coverage under ESI Act?
2. Whether the applicant-establishment further proves that it has paid entire statutory dues to the tune of Rs.15,73,717/- as per the demand notice, hence the impugned notices dated 23.03.2022 and 29.03.2022 are not sustainable under law?
3. Whether the applicant-establishment further proves that it is not coming under the purview of ESI Act?
4. Whether the applicant-establishment further proves that the Garnishee order passed by the Respondent No.2 U/s.45-G of ESI Act dated 25.11.2021 vide SRO.MYS.CP/73000365810001302 is illegal, incorrect and contrary to law and hence, same is liable to be set aside?

5. **Whether the applicant further proves that the order passed by the Respondent No.1 U/s.85-B of ESI Act dated 23.03.2022 and 29.03.2022 vide SRO.MYS.INS. 73000365810001302 are illegal, incorrect and contrary to law and hence, same are liable to be set aside?**
6. **Whether the applicant is entitled for the relief claimed in the application?**
7. **To what Order?**

DATED THIS THE 1ST DAY OF MARCH 2025

sd/-
(RUDOLPH PEREIRA)
Judge,
Employees' State Insurance Court, Mysuru.

