

**IN THE EMPLOYEES INSURANCE COURT, MAHARASHTRA AT
PUNE**

APPLICATION (ESI) No.73 OF 2025

Sai Raj Infrastructures ... Applicant

V/s

Employees State Insurance Corporation, ... Opponents

: ORDER BELOW EX.C-2

(Dated 9th September 2025)

Read application. Heard Adv.Mr.P.S.Moholkar appearing on behalf of applicant. He submitted that order u/s 45-A of Employees State Insurance Act, 1948 dt.19/02/2025 and prohibitory order dt.19/07/2025 are came to be passed ex-parte, without considering non-application of Employees State Insurance Act, 1948 to the applicant, Covid pandemic period from March 2020 and non employment of employees more than two. He also submitted that the applicant has complied provisions prescribed u/s 75(2-B) of Employees State Insurance Act, 1948, by depositing cheque of Rs.62,100/-. As such he requested for passing stay order. After hearing arguments I have gone through the record. It reveals that there is need to hear the application Ex.C-2 on its own merit, after giving opportunity to the opponents and meantime there is also need to pass prohibitory order. Accordingly, I pass the following order.

Order

- (i) Issue show cause notice to the opponents and call their appearance and say, as per rules r/o 14/10/2025.
- (ii) Meantime i.e. till 14/10/2025, the implementation and operation of order passed u/s 45-A of Employees State Insurance Act, 1948 dt.19/02/2025 and prohibitory order dt.29/07/2025 passed against the applicant are hereby stayed.
- (iii) In view of order in Clause (2), opponent No.2, Recovery Officer Shri Nilkant Prakash Warang of ESI Corporation is directed to issue letters to the bankers of applicant for unfreezing it's bank accounts which are freezed in consonance with order passed u/s 45-A of Employees State Insurance Act, 1948 as on 19/02/2025 and by prohibitory order dt.29/07/2025 and produce on record its compliance report, without fail and forthwith.

Sd/-

Pune.

(R.G. Malashetti)

Judge,

Date : 9th September 2025.

Employees Insurance Court,
Pune