

**Further cross examination by Adv. Shri. A.R. Joshi for the applicant :-**

15. It is true to say that S. Enterprises is registered as independent employer with the ESI Corporation. After verifying the address of the employer, it was get registered with the ESI Corporation. It is true to say that address of the employer is with the ESI Corporation. It is true to say that if assuming S. Enterprises not made compliance of ESI Act then ESI corporation may proceed against it. It is true to say that in such circumstances, ESI Corporation may call entire documents of the S. Enterprises. It is not true to say that in the present case, ESI Corporation not proceed against S. Enterprises and not called any record from it. It is not true to say that ESI Corporation proceed against S. Enterprises as independent employer. I do not remember whether ESI Corporation issued order under Section 45A of the ESI Act to the S. Enterprises. It is true to say that if notice in Form C-18 (Adhoc) is issued to any employer, then as per procedure, order under Section 45A of the ESI Act is required to be issued. It is true to say that in present case also the order under Section 45A of the ESI Act was required to be issued against the S. Enterprises. It is not true to say that order under Section 45A of the ESI Act issued against the applicant incorrectly. I am not aware that the business of S. Enterprises was going on at multiple locations. It is not true to say that order against the applicant was issued without giving opportunity of being heard. It is not true to say that order under Section 45A of the ESI Act issued against the applicant is illegal. It is not true to say that I am deposing falsely.

**NO RE-EXAMINATION**

**R. O. A. C.**

**Date :- 09.01.2025**  
**Place :- Pune.**

**( K.N. Gautam )**  
**Judge, Insurance Court, Pune.**