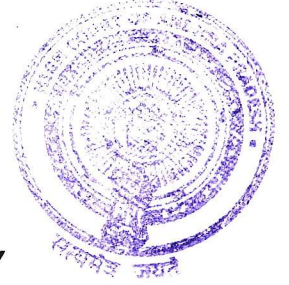


**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**THURSDAY, THE FIFTH DAY OF MARCH,
TWO THOUSAND AND TWENTY SIX**

**:PRESENT:
THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY**

WRIT PETITION NO: 5588 OF 2026



Between:

M/s. Siddhartha Academy of General and Technical Education, Having
its Office at Siddhartha Nagar, Moghalraipuram, Vijayawada
Represented by its Secretary, Sri P. Lakshmana Rao.

Petitioner

AND

1. Union of India, Represented by its Secretary, Department of Labour and Employment, New Delhi-110002.
2. Employees State Insurance Corporation (ESIC), Rep by its Joint Director, Regional Office at Gunadala, Vijayawada, Krishna District - 520 004
3. The Recovery Officer, ESI Corporation, Sub Regional Office Vijayawada, NTR District-520004.

Respondents

Petition under Article 226 of the Constitution of India, is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of the Writ of Mandamus declaring the action of Respondents, more particularly the Respondent No.2, in issuing the proceedings No. AP /RO /VJA /Ins.II /62000170570001304 dated 09.12.2025, thereby confirming the levy of damages under Section 85-B of the Employees' State Insurance Act, 1948 ,

originally imposed vide order dated 18.02.2015 for a sum of Rs.2,64,923/-, without considering the relevant facts, mitigating circumstances and submissions made by the Petitioner as illegal, arbitrary, unjust, utter disregard of the order dated 13.12.2022 passed by the Principal Senior Civil Judge, Vijayawada, in E.S.I.O.P. No.61 of 2015 and contrary to the provisions of Employees' State Insurance Act, 1948, besides being violative of Articles 14, 19(1)g and 300A of the Constitution of India and consequently direct the Respondents not to take any coercive steps, including recovery proceedings, pursuant to the proceedings No. AP /RO /VJA /Ins. 11 /62000170570001304 dated 09.12.2025;

IA NO: 1 OF 2026

Petition under Section 151 CPC., is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to DIRECT the Respondents not to take any coercive steps, including recovery proceedings, pursuant to the proceedings No. AP /RO/VJA/Ins. II/62000170570001304 dated 09.12.2025 issued by Respondent No.2;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of M/s. CKR ASSOCIATES, Advocate for the Petitioner and of Sri. K MALLIKHARJUNA MOORTHY, Advocate for the Respondents;

The Court made the following ORDER:

Respondent authorities are directed to file counter affidavit within a period of three (3) weeks from today.

Till such time, the respondent authorities are directed not to take any coercive steps against the petitioner herein.

Post after three (3) weeks.

//TRUE COPY//

SD/- M.SRINIVAS
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Secretary, Department of Labour and Employment, Union of India,
New Delhi-110002.
2. The Joint Director, Employees State Insurance Corporation (ESIC),
Regional Office at Gunadala, Vijayawada, Krishna District - 520 004
3. The Recovery Officer, ESI Corporation, Sub Regional Office
Vijayawada, NTR District-520004. (Addressee Nos. 1 to 3 BY RPAD)
4. One CC to M/s. CKR ASSOCIATES, Advocate [OPUC]
5. One CC to Sri. K MALLIKHARJUNA MOORTHY, Advocate [OPUC]
6. One spare copy

JSS

HIGH COURT

SRK, J

DATED:05/03/2026

POST AFTER THREE (3) WEEKS.

ORDER

WP.No.5588 of 2026

DIRECTION

