

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

THURSDAY ,THE FOURTEENTH DAY OF AUGUST

TWO THOUSAND AND TWENTY FIVE

**:PRESENT:
THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM**

WRIT PETITION NO: 21147 OF 2025



Between:

The Amaravathi School, Regd.No.3855/B1/2017, rep by its Principal,
Shri Ch.Satyanarayana, S/o Demudu Chitikila, Age 43 years, Devada
Village, Kothavalasa Mandal, Vizianagaram District-535183.

Petitioner

AND

1. The Union of India, Represented by Secretary to Government, Ministry of Labour and Employment, New Delhi.
2. Employees State Insurance Corporation (ESIC), Represented by its Deputy Director, Regional Office, Panchdeep Bhawan, ESI Road, Gunadala, Vijayawada - 520004, Krishna District.
3. Employees State Insurance Corporation (ESIC), Represented by its Regional Director, Regional Office, Panchdeep Bhawan, ESI Road, Gunadala, Vijayawada - 520004, Krishna District.
4. Employees State Insurance Corporation (ESIC), Represented by its Regional Director, Regional Office, Panchdeep Bhawan, ESI Road, Gunadala, Vijayawada - 520004, Krishna District.

5. Revenue Recovery Officer, Employees State Insurance Corporation (ESIC), Sub-Regional Office, D.No.45-57-21/1, RR House, Narasimhanagar, Akkayapalem Highway Road, Visakhapatnam-530024

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 any appropriate Writ, order or Direction preferably a Writ in the nature of Writ of Mandamus declaring the action of the Respondents in issuing recovery notice vide No.70000556500001302/51920251653 dated 06.06.2025 pursuant to Demand Order in AP/SRPA/SP/INS/70-00-055650-000-1302/55 dated 15.011.2024 under Section 45-A of ESI Act, 1948 illegal, arbitrary, high handed, violative of principles of natural justice and violative of fundamental rights guaranteed to the Petitioner under Article 14, 19 and 21 of the Constitution of India and consequently to set aside the recovery notice issued vide No.70000556500001302/51920251653 proceedings 06.06.2025 and Demand Order in AP/SRP/VSP/INS/70-00-055650-000-1302/55 dated 15.011.2024, with a direction to the Respondent authorities not to take any coercive steps against the Petitioner.

IA NO: 1 OF 2025

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 suspend the recovery notice issued vide No.70000556500001302/51920251653 proceedings 06.06.2025 and Demand Order in AP/SRPA/SP/INS/70-00-055650-000-1302/55 dated 15.011.2024, with a direction to the Respondent authorities not to take any coercive steps against the Petitioner, Pending disposal of WP 21147 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri SHAIK SHAHEDAZ Advocate for the Petitioner, The Additional Advocate General of India for the Respondent No.1; Smt. S. Siva Kumari, Standing Counsel for the Respondent Nos.2 to 5 and the Court made the following.

ORDER

“Heard learned counsel for the petitioner as well as learned Standing Counsel appearing for the respondents.

In view of the facts and circumstances of the case, there shall be an interim stay of the Order under Section 45-A of the Employees' State Insurance (ESI) Act, 1948, dated 15.11.2024, on the condition of petitioner paying 25% of the amount of Rs. 10,72,379/-, within two (2) weeks from the date of receipt of copy of this order.

Post the matter after four (4) weeks.

In the meantime, the petitioner shall pursue the appeal that is preferred before the 2nd respondent.”

//TRUE COPY//

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR

SECTION OFFICER

For

To,

1. The Secretary to Government, Union of India, Ministry of Labour and Employment, New Delhi.
2. The Deputy Director, Employees State Insurance Corporation (ESIC), Regional Office, Panchdeep Bhawan, ESI Road, Gunadala, Vijayawada - 520004, Krishna District.

3. The Regional Director, Employees State Insurance Corporation (ESIC), Regional Office, Panchdeep Bhawan, ESI Road, Gunadala, Vijayawada - 520004, Krishna District.
4. The Regional Director, Employees State Insurance Corporation (ESIC), Regional Office, Panchdeep Bhawan, ESI Road, Gunadala, Vijayawada - 520004, Krishna District.
5. Revenue Recovery Officer, Employees State Insurance Corporation (ESIC), Sub-Regional Office, D.No.45-57-21/1, RR House, Narasimhanagar, Akkayapalem Highway Road, Visakhapatnam-530024 (1 to 5 by RPAD)
6. One CC to SRI. SHAIK SHAHEDAZ Advocate [OPUC]
7. One CC to The Additional Advocate General of India, High Court of India, Amaravati. [OPUC]
8. One CC to Smt. S. Siva Kumari, Standing Counsel [OPUC]
9. **One spare copy**

HIGH COURT

JS,J

DATED:14/08/2025

POST THE MATTER AFTER FOUR (4) WEEKS

ORDER

WP.No.21147 of 2025

INTERIM STAY

