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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **FAO 417/2019 & CM APPL. 46256/2019, CM APPL. 46258/2019**

M/S ARMY HEAD QUARTERS CANTEEN Appellant

Through: Mr. V.K. Gulati, Ms. Rashmi Gulati,
Mr. Hemant Gulati and
Mr. Ghanshyam Kaushik, Advs.

versus

THE REGIONAL DIRECTOR , ESIC & ANR Respondents

Through: Mr. V.K. Singh and Ms. Prachi Singh,
Advs.

CORAM:

HON'BLE MR. JUSTICE SANJEEV SACHDEVA

ORDER

% **05.03.2020**

1. Appellant impugns order dated 31.07.2019, whereby the petition under Section 75 of the Employees State Insurance Act was dismissed. One of the issues involved is with regard to the insurance cover to the employees of the Army Headquarters Canteen, who are either retired Officers or Civilian employees.

2. As per learned counsel for the appellant, there is no insurance cover provided to them either by the Armed Forces or privately.

3. Learned counsel appearing for the Employees State Insurance Corporation (ESIC) submits that ESIC Act is a beneficial legislation and all organisations that employ more than ten employees have to provide insurance cover for all its employees and are compulsorily covered under ESIC Act.

4. Learned counsel for the appellant submits that as to whether an insurance cover is to be provided or not is a decision that could only be taken by the office of the Quarter Master General of the Army.
5. List on 25.03.2020, on which date a duly instructed Officer from the office of the Quarter Master General of the Army shall be present in court.
6. Order *dasti* under signatures of the Court Master.
7. Order be communicated by learned counsel for the appellant to the office of the Quarter Master General of the Army.
8. Interim order to continue.

SANJEEV SACHDEVA, J

MARCH 05, 2020

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