

GAHC010211462024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/5209/2024

DIPTI SAIKIA
W/O LATE BAKUL CHANDRA SAIKIA,
PROPRIETOR/PRINCIPAL SPRING DALES SCHOOL (CLASS VI TO X) NEAR
T.D PLUS COLONY, SARUPATHAR, PO DULIAJAN, DIST DIBRUGARH
ASSAM

VERSUS

EMPLOYEES STATE INSURANCE CORPORATION AND 6 ORS
MINISTRY OF LABOUR OF EMPLOYMENT , GOVT. OF INDIA REGIONAL
OFFICE AT PANCHDEEP BHAWAN, NE REGION,
BAMUNIMAIDAM, GUWAHATI ASSAM 781021

2: THE ASSISTANT DIRECTOR
EMPLOYEES STATE INSURANCE CORPORATION PANCHDEEP BHAWAN
NE REGION
BAMUNIMAIDAM
GUWAHATI ASSAM 781021

3: THE RECOVERY OFFICER
EMPLOYEES STATE INSURANCE CORPORATION PANCHDEEP BHAWAN
NE REGION
BAMUNIMAIDAM
GUWAHATI ASSAM 781021

4: M/S SPRING DALES SCHOOL
SITUATED AT DAILY BAZAR
STATION ROAD
DULIAJAN
DIBRUGARH
ASSAM 786602. REP. BY ITS PROPRIETOR / PRINCIPAL SRI NABAKANTA
TALUKDAR

5:NABAKANTA TALUKDAR
PROPRIETOR/PRINCIPAL
M/S SPRING DALES SCHOOL
SITUATED AT DAILY BAZAR
STATION ROAD
DULIAJAN
DIBRUGARH
ASSAM 786602

6:THE BRANCH MANAGER
UNION OF INDIA
DULIAJAN BRANCH
DAILY BAZAR
STATION ROAD
DULIAJAN
ASSAM 786602

7:THE BRANCH MANAGER
BANK OF BARODA
DULIAJAN BRANCH
TM TOWER
STATION ROAD
DAILY BAZAR DULIAJAN
ASSAM 78660

Advocate for the Petitioner : MR. R S MISHRA, MR. A K GUPTA

Advocate for the Respondent : SC, ESIC,

**BEFORE
HONOURABLE MR. JUSTICE SUMAN SHYAM**

ORDER

Date : 04-10-2024

Heard Mr. R.S. Misra, learned counsel for the writ petitioner.

Perused the averments made in the writ petition.

The petitioner is aggrieved by the demand notice dated 21-10-2023 and the subsequent action taken by the Branch Manager of the United Bank of India freezing the

account of the petitioner.

Mr. Misra submits that the action initiated against the writ petitioner is wholly arbitrary and illegal.

Mr. M. Smith, learned standing counsel, ESIC submits that the writ petition is not maintainable due to availability of alternative remedy.

Be that as it may, having regard to the questions raised in this writ petition, this Court is of the opinion that the matter would call for further consideration. In view of the ensuing Puja vacation starting from today, this matter cannot be taken up before 25-10-2024.

Issue notice of motion returnable on 25-10-2024.

Since Mr. Smith has accepted notice on behalf of respondent Nos. 1 to 3, no formal notice is required to be sent to the said respondents.

Extra copies of the writ petition, requisite in numbers, be furnished to the learned standing counsel, ESIC so as to enable him to obtain instruction.

Petitioner to take steps for service of notice upon respondent Nos. 4 to 7 by registered post with A/D within 03 days from today.

Heard on the prayer of interim relief.

The said prayer will be considered on the returnable date.

JUDGE

GS

Comparing Assistant