



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO.194 OF 2015

Fashion Exim (India) Pvt. Ltd. & Anr. ...Appellants

Versus

Regional Director, Employees State
Insurance Corporation & Ors. ...Respondents

Ms. Aakansha Saxena i/by Mr. Sanjay Gawde for the Appellants.
Mr. Anand Kulkarni for Respondent Nos.1 & 2.

CORAM : JITENDRA JAIN, J.

DATE : 24 MARCH 2026

P.C.:

1. **Admit** on following substantial questions of law :-

“(i) Whether the ESIC is entitled to make a demand and recover ESI contribution for and in respect of third party employees of outside agencies engaged for carrying on work on job work basis ?

“(ii) Whether in view of Section 77-1A of the Act, a demand for ESI contribution raised by the ESI Corporation after a period of 10 years is barred by limitation more so, when the ESI Corporation has conducted regular inspection, scrutiny and assessment of records of a entity covered under the ESI Act ?”

2. Mr. Kulkarni, learned counsel waives service on behalf of respondent nos.1 and 2.

3. Issue notice to respondent no.3. In addition to the Court notice, private service by all permissible modes is allowed. An affidavit of service shall be filed.

4. Records and proceedings be called.

5. Compilation of documents in the format of private paper-book shall be filed and served on the respondents within sixteen weeks from today, failing which, the appeal shall stand dismissed without recourse to the Court. No application for extension of time to file the compilation of documents will be considered.

6. Appeal to come up for hearing after the compilation of documents are filed.

[JITENDRA JAIN, J.]