

IN THE HIGH COURT OF JHARKHAND AT RANCHI

M.A. No.52 of 2023

Employees' State Insurance Corporation through its Regional Director & Ors.

.... **Appellant(s)**

Versus

M/s Hotel Sagar through its Partner Shri Vijay Kumar Burnwal and Shri Vikas Kumar Burnwal

.... **Respondent(s)**

CORAM: HON'BLE MR. JUSTICE RAJESH KUMAR

For the Appellant(s) : Mr. Ashutosh Anand, Adv.

Mr. Shantanu Gupta, Adv.

For the Respondent(s) : Mrs. Kehkasha Afsheen, Adv.

06/Dated: 09th February, 2026

I.A. No.416 of 2024

1. The present interlocutory application has been filed for condoning the delay of one day in filing the present Miscellaneous Appeal.
2. Considering the argument of the parties and reason assigned in the present interlocutory application, the delay of one day in filing the present M.A. is hereby condoned.
3. Accordingly, the present interlocutory application stands allowed and disposed of.

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4. The substantial question of law involved in the present miscellaneous appeal relates to the shifting of the onus, i.e., whether the burden of proving the number of employees lies upon the employer or upon the insurance company.
5. **Admit.**
6. No notice is required to be issued as all the parties have already appeared.
7. Call for the Labour Court Records-cum-Employees' Insurance Court Records from the court concerned.

(Rajesh Kumar, J.)

Dated: 09th February, 2026

Amar/-

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