

IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No.25035 of 2022
(Through hybrid mode)**

***Power Planners and Engineers(P)
Ltd., Angul***

Petitioner

Mr. S. R. Pati, Advocate

-versus-

***Employees' State Insurance
Corporation, New Delhi and others***

Opposite Parties

CORAM: JUSTICE ARINDAM SINHA

ORDER

28.09.2022

W.P.(C) No.25035 of 2022

and

I.A. No.13201 of 2022

Order No.

01.

1. Mr. Pati, learned advocate appears on behalf of petitioner and submits, impugned is garnishee order dated 5th September, 2022, made under section 45-G of Employees' State Insurance Act, 1948 by the Recovery Officer (RO). He submits, his client's banker debited the account by Rs.17,85,706/- on 5th September itself. He relies on clause(iii) under sub-section (3) in section 45-G to submit, it is mandatory for the notice to be forwarded to the principal or immediate employer. His client was not served with any notice. He draws attention to paragraph 12 in the petition to submit, the recovery notice was never served on his client but thereafter, impugned garnishee

order issued and said amount already recovered from his client's banker. He files a memo disclosing his client's bank documents. He prays for direction on issuance of notice and interim protection.

2. Issue notice along with this order on opposite party nos.2 and 3 by registered/speed post with A.D. Petitioner will put in requisites. No further effect be given to impugned order till next date.

3. The I.A. is disposed of.

4. List on 19th October, 2022.

(Arindam Sinha)
Judge

Prasant

