

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 4616/2026

M/s Shri Inder Kripa Vikas Sansthan, Through Its Member Sh. Chattar Singh S/o Sh. Shaitan Singh Aged About 39 Years R/o Ward No. 19, House No. 1363, Behind Chowki Dhani Hostel, Jaisalmer, Rajasthan.

----Petitioner

Versus

1. Employee State Insurance Corporation, Through Its Deputy Director, Esi Hospital Complex Near Pratapnagar Police Station, Kamla Nehru Nagar, Jodhpur, 342009.
2. Recovery Officer, Esi Hospital Complex Near Pratapnagar Police Station, Kamla Nehru Nagar, Jodhpur, 342009.

----Respondents

For Petitioner(s)	:	Mr. Sumeha Kalla
For Respondent(s)	:	

HON'BLE MR. JUSTICE SANJEET PUROHIT

Order

26/02/2026

1. Learned counsel for the petitioner submitted that an identical with petition being **S.B. Civil Writ Petition No.19256/2023 (M/s Panwar Construction Company vs Employees State Insurance Corporation and other)** has been disposed of by a Co-ordinate Bench of this Court vide order dated 19.12.2023.
2. Learned counsel prayed that similar order be passed in petitioner's case also.
3. In case of M/s Panwar Construction (supra), a Co-ordinate Bench of this Court has observed as under:-

*"The impugned order was passed under
Section 45-A of Employees' State Insurance
Act, 1948 (hereinafter referred to as 'the Act of*

1948'). Manifestly, an appeal lies against the said order as per Section 45-AA of the Act of 1948.

Thus, the writ petition is not maintainable and deserves to be dismissed.

The writ petition, so also the stay petition, stand dismissed. In case, the petitioner presents an appeal before appellate authority with the required pre-deposit, within a period of 30 days, the same shall be treated to be within limitation and shall be considered and decided as per law."

4. The present writ petition is also disposed of in the same terms.

5. Stay petition also stands disposed of accordingly.

(SANJEET PUROHIT),J