

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

S.B. Civil Writ Petition No. 8625/2026

M/s Tulsi Mining Infrastructure, Through Ishwar Singh Son Of
Kan Singh, Age 47 Years, Address 636, Dudh Dairy Ke Piche,
Balotra, District Balotra, Rajasthan.

-----Petitioner

Versus

1. Authorized Officer Dy. Director, Employees State Insurance Corporation, Sub Regional Office, At Present Address Esi Hospital Complex, Near Pratap Nagar Police Station, Jodhpur, Rajasthan.
2. The Social Security Officer, Sub Regional Office, Employees State Insurance Corporation, Sub Regional Office, At Present Address Esi Hospital Complex, Near Pratap Nagar Police Station, Jodhpur, Rajasthan.

-----Respondents

For Petitioner(s)	:	Mr. Prem Dayal Bohra
For Respondent(s)	:	

HON'BLE MR. JUSTICE ANAND SHARMA

Order

22/04/2026

1. Learned counsel for the petitioner submits that although, appeal under Section 45-AA of Employees' State Insurance Act, 1948 (hereinafter referred to as 'the Act of 1948') is maintainable against any order passed by the Competent Authority in exercise of power under Section 45A of the Act of 1948, yet on account of the fact that the petitioner was not aware with regard to order dated 09.08.2021 at the relevant time, appeal could not be filed by the petitioner within period of limitation prescribed in the Act of 1948.

2. Learned counsel for the petitioner also relies upon order dated 28.04.2025 passed by the Co-ordinate Bench of this Court in **S.B. Civil Writ Petition No.7540/2025 (*Jugal Bhatia Vs. Dy. Director & Anr.*)** as well as another order dated 19.01.2024 passed in **S.B. Civil Writ Petition No.571/2024 (*Pacific Education Society Vs. Dy. Director & Ors.*)** in support of his contention that the petitioner may be granted liberty to file appeal before the Appellate Authority.

3. In the light of above orders dated 19.01.2024 and 28.04.2025 passed by the Co-ordinate Benches of this Court, this Court deems it just and proper to dispose of this writ petition with liberty to the petitioner to approach the Appellate Authority and in case, the petitioner files appeal within a period of 30 days from today, same shall be considered to be within limitation and be decided on merits after granting due opportunity of hearing to the petitioner within a period of 90 days thereafter.

4. Writ Petition is disposed of accordingly.

5. Pending application(s), if any, stand(s) disposed of.

(ANAND SHARMA),J