



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-29269-2025

Date of decision: 29.09.2025

M/s Faridabad Autocomp System Private Limited Petitioner

Versus

Employees' State Insurance Corporation, and another
.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Ishaan Bhardwaj, Advocate,
for the petitioner.

KULDEEP TIWARI, J. (Oral)

1. The petitioner-firm has approached this Court by way of instant writ petition, under Article 226 of the Constitution of India, for issuance of a Mandamus upon the respondents, to refund an amount of Rs.5,78,578/-.

2. In nutshell, learned counsel for the petitioner submits that, at the time of instituting a statutory appeal, the petitioner had deposited an amount of Rs.2,89,289/- with respondent No.2. However, the Appellate Authority, vide order dated 11.09.2017 (Annexure P-5), dismissed the said appeal. Aggrieved, the petitioner assailed the order (supra), by filing a petition under Section 75 of the ESI Act, before Employee's Insurance Court, Faridabad. Accordingly, the petitioner was directed to deposit 50% of the amount, which would be adjusted with the amount already deposited. In compliance, the petitioner deposited a total amount of Rs.5,78,578/-. Consequently, the abovesaid petition was allowed, vide order dated 13.01.2022 (Annexure P-9), thereby remitting the matter to



respondent No.2, to decide the same afresh, after granting an opportunity of hearing to the parties concerned. Thereafter, since no notice for any fresh adjudication was received by the petitioner, it requested respondent No.2, to refund the amount of Rs.5,78,578/-, vide an application dated 21.11.2022 (Annexure P-10). It is urged that the limited grievance of the petitioner is that, though a considerable time has elapsed, the application (supra) has not been decided till date, thereby causing serious prejudice to the petitioner.

3. In the wake of the abovesaid *bona fide* and innocuous prayer, the instant writ petition is **disposed of**, with a Mandamus upon respondent No.2, to consider and decide the application (supra), in accordance with law, within a period of six weeks from the receipt of a certified copy of this order.

4. Needless to assert that before drawing a final order, a due opportunity of hearing shall be afforded to the petitioner.

(KULDEEP TIWARI)
JUDGE

29.09.2025

Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No