



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

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**CWP-9312-2025 (O&M)
Decided on :01.04.2025**

M/S MUNISH AHMED . . .Petitioner

MUNICIPAL CORPORATION, PANIPAT AND OTHERS
. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. B. S. Rana, Senior Advocate with
Mr. Nayandeep Rana, Advocate for the petitioner.

HARSIMRAN SINGH SETHI, J. (Oral)

1. Learned Senior counsel appearing on behalf of the petitioner submits that the impugned order dated 15.04.2024 (Annexure P-7) of assessment under Employees State Insurance Act, 194 (for short '1948 Act') has been passed by the respondents-corporation on the basis of adverse inference on the ground that the records were not produced by the petitioner whereas, the proper opportunity to produce the record was not afforded to the petitioner and even as of now, the petitioner is ready to furnish all the record.

2. Learned Senior counsel for the petitioner submits that liberty be given to the petitioner to approach the competent authority in the Provident Fund department to produce the record with the prayer that the order dated 15.04.2024 (Annexure P-7) be re-considered so as to prove that the petitioner is not liable to pay the assessed amount as has been assessed by authorities concerned under 1947 Act.

3. Keeping in view request made by learned Senior counsel recorded herein above and the fact that the petitioner intends to approach



the authorities concerned under 1948 Act so that the authorities concerned may reconsider the impugned order of assessment dated 15.04.2024 (Annexure P-7) and the petitioner can to produce the record, liberty is granted to the petitioner to approach the appropriate authority and the concerned authority is hereby directed that in case, any such efforts is made by the petitioner, due consideration be given to said efforts of the petitioner and in case, the petitioner produce any record to convince the authority concerned showing that he is not liable to pay the assessed amount as per the assessment order dated 15.04.2024 (Annexure P-7), an appropriate fresh speaking order be passed by the authority concerned. In case, the petitioner fails to produce any record to the satisfaction of the authorities concerned, to the said effect also, the authorities are directed to pass fresh speaking order giving detailed reasons for not accepting the claim of the petitioner.

4. The present petition is disposed of in above terms.
5. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

01.04.2025

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No