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**(2023) 02 OHC CK 0065**

**In the Orissa High Court**

**Case No : Writ Petition (C) No. 11047 Of 2018**

M/s. Shreejal Services

APPELLANT

Vs

Employees? State Insurance Corporation

RESPONDENT

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**Date of Decision : 08-02-2023**

**Acts Referred:**

**Citation : (2023) 02 OHC CK 0065**

**Hon'ble Judges : Arindam Sinha, J**

**Bench : Single Bench**

**Advocate : Pravakar Behera, A. P. Ray**

**Final Decision : Dismissed**

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## **Judgement**

Arindam Sinha, J

1. Mr. Behera, learned advocate appears on behalf of petitioner and submits, impugned is demand notice dated 17th April, 2018 and the certificate proceeding initiated pursuant thereto. He submits, his client was not given opportunity of hearing.

2. Mr. Ray, learned advocate appears on behalf of the Corporation. He submits, disclosed in his client's preliminary counter are, inter alia, show cause notice duly received by petitioner. Thereupon, there was order of determination also received by petitioner, pursuant to which impugned demand and certificate proceeding. He relies on order dated 20th October, 2016 made by coordinate Bench in OJC no.2435 of 2001 (M/s. Hindustan Electronics Ltd. v. Regional Commissioner Employees' State Insurance Corporation and others) to submit, view taken was without challenging the determination, demand issued pursuant thereto cannot be challenged.

3. There having been demonstration that petitioner was in receipt of the show-cause notice as well as determination made subsequent thereto, it cannot be said petitioner was denied opportunity of hearing.

4. The writ petition is dismissed.

5. The dismissal will not prevent petitioner from obtaining statutory remedy, if available, on also seeking exclusion of the time this writ petition was pending.

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