



CGHC010317012023



2026:CGHC:28032

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MA No. 138 of 2023**

Vandana Global Limited Siltara Industrial Area, Phase-II, Siltara, Raipur, Through
Factory Manager Govind Kumar Agrawal, Aged About 39 Years, S/o Shri Ram
Kumar Agrawal, R/o MIG-Delux-403, Kabir Nagar, Raipur, District : Raipur,
Chhattisgarh

... Appellant**versus**

Deputy Director Employees State Insurance Corporation 107 Jagannath Chowk,
Ramnagar, Kota, Raipur, District : Raipur, Chhattisgarh

... Respondent

For Appellant	:	Mr. Ravi Bhagat, Advocate on behalf of Mr. Vinay Pandey, Advocate
For Respondent	:	Mr. Pranav Saxena, Advocate

(Hon'ble Shri Justice Naresh Kumar Chandravanshi)**Order on Board****07.07.2026**

1. Heard on IA No.03/2026, application for seeking permission to avail the New Amnesty Scheme, 2025 dated 24.07.2025 filed by the appellant.
2. The present appeal has been filed by the appellant under Section 82 of the Employees' State Insurance Act, 1948 (for short, 'the ESI Act, 1948'), challenging the impugned order dated 01.09.2023 passed by the Court of Employees' Insurance, Labour Court No.1, Raipur (C.G.) in Case No.55/ESI Act/2014.

3. Learned counsel for the appellant submits that during pendency of the present appeal, the respondent–ESIC, on 24/07/2025, has introduced a scheme, namely, the New Amnesty Scheme, 2025, for withdrawal of criminal cases filed against insured persons and employers, as well as for settlement of cases filed by employers under Sections 75 and 82 of the ESI Act, 1948. It is further submitted that an application has been filed by the appellant along with a copy of the said scheme seeking permission to avail the benefit of the aforesaid scheme.
4. Learned counsel for the respondent has no objection to allow the aforesaid application filed by the appellant.
5. Heard learned counsel for the parties, perused the record and the provisions of the New Amnesty Scheme, 2025.
6. For the sake of convenience, the relevant terms and conditions of the New Amnesty Scheme, 2025 are quoted below :-

“(ii) DISPUTE OF CONTRIBUTION:

This Scheme shall also include cases in which the employer has disputed the determination of contribution under section 45A or under section 45AA or recovery of contribution, in the Employees State Insurance Court, u/s 75 of the ESI Act, made the appeal u/s 82 of the Act or under article 226 of Constitution of India (where substantial question of law is not involved), up to 31.03.2025 subject to the fulfilment of the following conditions:

- i. The employer shall file a petition before the Hon'ble Court where he has raised the dispute and seek permission of Hon'ble Court for out of Court settlement of matter under litigation. If the Court allows,

then the matter shall be settled as per the scheme. The employer shall apply for the Amnesty scheme in the proforma prescribed by the corporation

ii. The employer shall pay both the Employees' and Employers' share of contribution and interest on the revised amount of as per their records, which he shall produce before the assessing officers, if the contribution has been assessed on assumed wages and he shall comply with other provisions of the Act.

iii. In case all the records required for assessment of contribution are not available with the employer, they shall produce alternative records such as EPFO and Income Tax Record etc. and shall pay the contribution accordingly as per these records.

iv. However, if the employer is not able to produce any of the records and the assessment has been made in respect of wages other than the wages shown in Regulation 32 Register, he shall pay the contribution which shall be not less than 30% of the assessed amount of contribution. The cases where assessment has already been made as per Hors instruction No. P-11/13/97-Ins-IV dated 26.05.2003 or where the contribution has been assessed on actual basis will not fall under the purview of the scheme.

v. The employer shall pay Interest as per the revised contribution.

vi. No damages shall be levied.

vii. The employer shall also furnish an undertaking to the Corporation to the effect that he/she shall be regular in compliance in the provisions of ESI Act in future or else he/she shall forfeit the right to avail of such amnesty scheme.”

7. In view of the aforesaid benevolent scheme introduced by the ESIC for settlement of disputes, the appellant is permitted to withdraw the appeal and to move an appropriate application within 30 days from today before the competent authority to avail remedy of aforesaid scheme. In the eventuality of filing such application, the competent authority shall decide the same in accordance with law.

8. Accordingly, the present appeal stands disposed of with the aforesaid permission.

9. The appellant would be at liberty to approach this Court for restoration of the present appeal, if the ESIC does not proceed under the said scheme.

10. As prayed by learned counsel for the appellant, certified copy of the impugned order (Annexure-A/1) be returned to the counsel after retaining a copy of the same in the file.

11. Original record of the Employees Insurance Court, Labour Court No.1, Raipur be returned forthwith.

12. Pending interlocutory application(s), if any also, stands disposed of.

Sd/-

(Naresh Kumar Chandravanshi)
Judge