

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**SPECIAL CIVIL APPLICATION NO. 18467 of 2015**

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GUJARAT CONTRACTORS ASSOCIATION & ANR....Petitioners
Versus
EMPLOYEES STATE INSURANCE
CORPORATION & ANRRespondents

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Appearance:

MR DIPAK R DAVE, ADVOCATE for the Petitioners

MR HEMANT S SHAH, ADVOCATE for the Respondents No. 1 -2

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CORAM: **HONOURABLE MR.JUSTICE PARESH UPADHYAY**

Date : 20/01/2016

ORAL ORDER

1. Heard Mr.Dipak R. Dave, learned advocate for the petitioners and Mr.Hemant S. Shah, learned advocate for the respondent Nos.1 and 2.

2. Challenge in this petition is made to the Circular of the respondent Authorities dated 31.07.2015 (Annexure-A) regarding extension of the ESI Scheme to construction site workers.

3. Learned advocate for the petitioner has submitted that the challenge to this very Circular is entertained by the Madras High Court and the petitioner there is protected. Attention of this Court is invited to Annexure-C which is the copy of the order passed by the Madras High Court dated 21.09.2015. It is submitted that, the present petitioner is similarly situated.

4. Affidavit in reply is filed on behalf of the respondents. So

far the above noted factual aspect is concerned, it has remained uncontroverted.

5. In view of above, the following order is passed.

6. Rule. It is ordered that, during the pendency of this petition, no coercive steps shall be taken against the petitioner pursuant to the impugned Circular.

M O Bhati/22

(PARESH UPADHYAY, J.)

