



IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.682 of 2026

CNR No. ODHCO10412132026

**Manager, T.P. HUB, National
Insurance Co., Ltd., Cuttack**

Appellant
Mr. P.K. Mahali, Advocate

....

-versus-

Ranjit Naik & Anr.

....

Respondents
Mr. D. Patnaik, Adv.
(for Resp. No.1)

**COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
07.08.2026**

I.A. No.914 of 2026

Order No

- 01.** 1. This matter is taken up through Hybrid Mode.
- 2.** Heard learned counsel appearing for the appellant
- 3.** This I.A has been filed seeking condonation of delay in filing of the appeal.
- 4.** Even though notice of the Interim Application has not been issued on Respondent Party No.2, but considering the submission made by the learned counsel appearing for the appellant and claimant respondent No.2 that the matter has been settled, this Court in absence of any notice being issued to Respondent No.2, is inclined to condone the delay in filing of the appeal and condone the same accordingly.



5. Accordingly, the I.A stands disposed of.

(Biraja Prasanna Satapathy)
Judge

02. FAO No.682 of 2026

1. Heard learned counsel for the parties.

2. This appeal has been filed *inter alia* challenging the award passed by the learned Commissioner for Employee's Compensation-cum-Divisional Labour Commissioner, Cuttack in E.C. Case No.37 of 2024. Vide the said judgment, learned Commissioner held the Claimant-Respondent No.1 entitled to get compensation amount of Rs.17,13,600/- along with interest @ 12% per annum from the date of accident till payment within a period of 30(thirty) days from the date of order along with penalty @ 50%.

3. In support of the appeal, learned counsel for the Appellant contended that the accident took place while the injured Helper was loading the goods on the roof of the bus and he fell down due to slip of his leg, which is negligence on the part of the helper himself. Due to such accident, he sustained fracture injury on his body. However, a different story was created by the claimant and no FIR was also lodged in support of such accident. No medical paper showing the injury sustained due to the accident was also produced. On the date of the alleged accident the injured though was more than 20 years, but learned Commissioner applied wrong factor 224, in place of 222.71. After the



accident the injured helper was not treated by the Doctor, who was examined as P.W.2. But taking into account the evidence of P.W.2 that the injured sustained 70% disability, learned Commissioner assessed the loss of earning capacity @ 85%, passed the impugned award.

3.1. It is accordingly contended that had the learned Commissioner would have appreciated the contentions so raised by the Appellant, compensation could have been assessed at a lower side.

3.2. Making all these submissions, learned counsel for the appellant contended that the impugned award needs interference of this Court

4. Even though Mr. D. Pattnaik, learned counsel appearing on behalf of Respondent No.1 supported the impugned judgment, but contended that Claimants-Respondents No.1 will be fully satisfied, if this Court will allow compensation amount of Rs.11,00,000/- consolidated along with the accrued interest if any on such compensation.

5. Learned counsel for the Appellant to the aforesaid submissions of the learned counsel for the Claimants-Respondent No.1, leave the same to the discretion of this Court.

6. Having heard learned counsel for the parties and considering the submissions made, this Court while interfering with the impugned judgment, held the Claimant-Respondent No.1 entitled to get compensation amount of Rs.11,00,000/- consolidated, along with accrued interest if



any on the same. While holding so, this Court directs learned Commissioner to release an amount of Rs.11,00,000/- consolidated in favour of the Claimants-Respondents No.1 within a period of 4(four) weeks from the date of receipt of this order, along with accrued interest thereon if any. The balance amount along with accrued interest, if any, be released in favour of the Appellant-Company within the aforesaid time period.

7. The appeal stands disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Subrat

Signature Not Verified

Digitally Signed
Signed by: SUBRAT KUMAR BARIK
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 11-Aug-2026 18:07:00

