

25
09.9.2025
Ct. No. 16
SB

FMA 1453 of 2014
CAN 1 of 2011(Old No.: CAN 8789/2011)

The Oriental Insurance Co. Ltd.
Vs.
Md. Ali & Anr.

Mr. P. K. Pahari ... for the appellant

1. We have heard the learned counsel appearing on behalf of the appellant.
2. Learned Court of Commissioner of Work Men's Compensation on perusal of Exhibits 1,2 & 3 and the evidence of the doctor arrived at a conclusion that the applicant suffered disablement and loss of earning capacity to the extent of 50 per cent although claim for 100 per cent was made by the applicant.
3. Admittedly, he was a driver and he met with an accident when he was changing wheel of the vehicle. The entire vehicle fall on his body and he sustained injury. Exhibits 1,2 & 3 has disclosed the nature of the injury. He suffered the injury on 29.8.2000 (wrongly mentioned at some places in the judgement as 29.8.2002).
4. In view of such finding, we do not find any reason to interfere with the order passed by the learned Trial Court. We have been informed that the entire amount is deposited with the Commissioner. We direct the Commissioner to release the said amount along with accrued interest to the claimant upon proper identification within a period of eight weeks from the date of communication of this order by the appellant / petitioner.

5. In addition to the aforesaid, we direct the department concerned to immediately communicate this order to the Commissioner, Work Men's Compensation (WC), 1st Court, West Bengal (Claim Case No. 433 of 2000)
6. The appeal and the application are accordingly disposed of.

(Soumen Sen, J.)

(Apurba Sinha Ray, J)