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Signed by: SANGRAM DAS
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 09-Apr-2026 18:24:53

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.58 of 2026

Oriental Insurance Co.Ltd., Balasore .... ***Appellant***

Ms. R.Pati, Advocate

-versus-

Kanakalata Mukhi & Ors. .... ***Respondents***

Mr. D.Patnaik, Advocate

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
09.04.2026
I.A. No.56 of 2026

Order No.

04. 1. The matter is taken up through hybrid mode.

2. Since the receipt showing deposit of award amount has already been filed, the I.A is disposed of accordingly.

I.A. No.95 of 2026

3. Heard Ms. Pati, learned counsel for the Appellant and Mr. Patnaik, learned counsel for the Respondents.

4. Upon hearing all parties and considering the grounds mentioned in the limitation application, delay in filing the appeal is condoned.

5. I.A. is disposed of.

FAO No.58 of 2026

6. Heard Ms. Pati, learned counsel for the Appellant and Mr. Patnaik, learned counsel for the Respondents

7. Present appeal by the insurer is directed against the impugned judgment dated 30th June 2025 of learned Commissioner for

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Employee's Compensation-cum-Joint Labour Commissioner, Jajpur passed in E.C. Case No.04 of 2020, wherein compensation to the tune of Rs.14,34,172/- has been granted on account of death of the deceased in course of his employment as driver of the Truck bearing registration No.OR-04-A-0078.

8. Upon hearing both parties and considering all such grounds of challenge advanced, a reduced compensation of Rs.10,00,000/- consolidated is proposed to the parties. This is agreed by Mr. Patnaik, learned counsel for claimant – Respondents and Ms. Pati, learned counsel for the insurer leaves it to the discretion of the court. Accordingly the compensation amount is fixed to said extent.

9. Since the entire compensation amount has already been deposited before learned Commissioner, out of the same a consolidated sum of Rs.10,00,000/- (Ten lakhs) along with accrued interest thereof be disbursed in favour of the claimant – Respondents within a period of two months from today. The rest amount along with proportionate accrued interest be refunded to the insurer – Appellant.

10. However the direction for payment of penal interest and penalty is waived.

11. The appeal is disposed of accordingly.

12. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge

S.Das