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Location: OHC, Cuttack
Date: 10-Apr-2026 17:17:56

IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.91 of 2026

The Oriental Insurance Co. Ltd., represented through its Divisional Manager, Saheed Nagar, Bhubaneswar. .... ***Appellant***

Mr. N.B. Das, Advocate

-versus-

Phula @ Phularani Patara and Others .... ***Respondents***

Mr. D. Patnaik, counsel for Respondents No.1 & 2

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
10.4.2026

Order No.

I.A. No.86 of 2026

01. 1. Since the receipt showing deposit has been filed in the meantime, the I.A. is disposed of.

I.A. No.164 of 2026

02. 2. Heard Mr. N.B. Das, learned counsel for the insurer-Appellant and Mr. D. Patnaik, learned counsel for the claimant – Respondents No.1 & 2.

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

4. The I.A. is disposed of.

FAO No.91 of 2026

03. 5. Heard learned counsel for the parties.

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6. Present appeal by the insurer is directed against the impugned judgment dated 20th September, 2025 of learned Commissioner for Employee's Compensation-cum-Joint Labour Commissioner, Jajpur passed in E.C. Case No.08 of 2022, wherein compensation to the tune of Rs.17,36,744/- (including interest) has been granted on account of death of deceased Subrat Patra arising out of and in course of his employment as driver in the Bolero Pick Up Van bearing registration number OD-05-H-0172.

7. Upon hearing both parties and considering all such grounds of challenge advanced, a reduced compensation of Rs.12,20,000/- consolidated is proposed to the parties. This is agreed by Mr. Patnaik, learned counsel for claimant – Respondents No.1 & 2 and Mr. Das, learned counsel for the insurer leaves it to the discretion of the court. Accordingly the compensation amount is fixed to said extent.

8. Since the entire compensation amount has already been deposited before learned Commissioner, out of the same a consolidated sum of Rs.12,20,000/- (twelve lakhs twenty thousand) along with accrued interest thereof be disbursed in favour of the claimant – Respondents No.1 & 2 within a period of two months from today. The rest amount along with proportionate accrued interest be refunded to the insurer – Appellant.

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

10. The appeal is disposed of accordingly.

(B.P. Routray)
Judge

M.K.Panda