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Signed by: CHITTA RANJAN BISWAL
Reason: Authentication
Location: Orissa High Court, Court
Date: 10-Apr-2026 17:31:21

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.75 of 2026

Manager Legal, Cholamandalam MS General Insurance Co. Ltd., Bhubaneswar, Khordha. .... ***Appellant***
Mr.S.Roy, Advocate

-versus-

Biswajit Barik and another .... ***Respondents***
Mr.K.Das, Advocate for Respondent No.1

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
9.4.2026

Order No. **I.A.No.118 of 2026**

1. 1. Heard Mr. Roy, learned counsel for the Insurer-Appellant and Mr.Das, learned Advocate for claimant-Respondent No.1.

2. Upon hearing both parties and considering the grounds mentioned in the petition, delay in filing the appeal is condoned.

3. The I.A. is disposed of.

I.A.No.105 of 2026

4. Since in the meantime the award amount has been deposited, as submitted by the Appellant, the I.A. is disposed of.

FAO No.75 of 2026

5. Present appeal by the Insurer is directed against the impugned judgment/award dated 17th November 2025 passed by the Commissioner for Employee's Compensation-Cum-Joint Labour Commissioner, HQRS, in E.C. Case No.42 of 2024, wherein

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compensation to the tune of Rs.18,67,918/- on account of ijury sustained by the claimant in course of his employment as a helper in a Eicher Truck bearing Registration No.OR-04-F-4375.

6. Having heard both parties and considering all such grounds of challenge advanced, a reduced compensation of Rs.12,50,000/- consolidated is proposed to the parties in course of hearing. The same is agreed by Mr.Das, learned counsel for claimant-Respondent No.1. Mr.Roy, learned counsel for the Insurer leaves it to the discretion of the Court. Accordingly, the amount is reduced to the said extent.

7. Since the entire award amount has been deposited before the Commissioner for Employee's Compensation-Cum- Joint Labour Commissioner, HQRS, the Commissioner is directed to disburse the modified consolidated amount of Rs.12,50,000/- (Twelve lakhs fifty thousand) with proportionate accrued interest thereof in favour of the claimant within a period of two months from today. The balance amount with proportionate accrued interest thereof shall be refunded to the Insurer-Appellant. The penalty and penal interest as directed by learned Commissioner is waived.

8. The appeal is accordingly disposed of.

9. Urgent certified copy of this order be granted on proper application.

(B.P. Routray)
Judge

C.R. Biswal