



IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.370 of 2026

*Divisional Manager, New India
Assurance Co. Ltd., Kathajodi Road, Appellant
Badambadi, Cuttack*

Mr. P.K. Mahali, Advocate

-versus-

Rabi Jali and Another Respondents

Mr. P.K. Mishra, Advocate for Respondent No.1

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
8.7.2026

Order No.

01. 1. Heard Mr. P.K. Mahali, learned counsel for the insurer - Appellant and Mr. P.K. Mishra, learned counsel for the claimant – Respondent No.1.
2. Present appeal by the insurer is directed against the impugned judgment dated 18th February, 2026 of learned Commissioner for Employee's Compensation-cum-Divisional Labour Commissioner, Cuttack passed in E.C. Case No.346 D of 2013, wherein compensation to the tune of Rs.17,71,083/- (including interest) has been granted on account of injury sustained by the claimant arising out of and in course of his employment as helper of the truck bearing registration No.OR-21-6741.
3. In course of hearing, it is submitted by Mr. Mishra, learned counsel for Claimant-Respondent, that a consolidated amount of Rs.10,50,000/- as compensation would satisfy his purpose. Accordingly, when Appellant-Insurer is suggested with aforesaid amount, Mr. Mahali, learned counsel for the Appellant leaves it to the



discretion of the court. As such, the reduced compensation of Rs.10,50,000/- as suggested on behalf of Claimant-Respondent and not objected by Appellant-Insurer is determined.

4. Since the entire compensation amount has already been deposited before learned Commissioner, out of the same a consolidated sum of Rs.10,50,000/- (ten lakhs fifty thousand) along with accrued interest thereof be disbursed in favour of the claimant – Respondent No.1 within a period of two months from today. The rest amount along with proportionate accrued interest shall be refunded to the insurer – Appellant. However, the direction for payment of penal interest and penalty is waived.

5. The appeal is disposed of accordingly.

(B.P. Routray)
Judge