

GAHC010055792022



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : MFA/67/2022

THE ORIENTAL INSURANCE CO. LTD.
A COMPANY REGISTERED UNDER THE COMPANIES ACT, 1956.
REPRESENTED BY ITS REGIONAL MANAGER, ULUBARI, GUWAHATI 07

VERSUS

DIPAK KALITA AND ANR.
S/O SRI BHOGIRAM KALITA
PERMANENT ADDRESS THAMNA, PO AND PS MUSHALPUR, DIST BAKSA,
PRESENT ADDRESS PO DISPUR, PS DISPUR, GUWAHATI 06, ASSAM

2:ANISUR RAHMAN
S/O LATE HASIM ALI
RESIDENT OF NALBARI WARD NO. 1
PO AND PS NALBARI
ASSAM 78133

Advocate for the Petitioner : MR. S K GOSWAMI

Advocate for the Respondent :

B E F O R E
HON'BLE MR. JUSTICE HITESH KUMAR SARMA

08-06-2022

Heard Mr. S.K.Goswami, learned counsel for the appellant.

The appeal is admitted for hearing on the following substantial questions of law :

- 1) Whether the learned Commissioner, Workmen Compensation, Kamrup, can assess compensation under Section 4(1)(C) of the Employee's Compensation Act, 1923, without having any disability certificate ?
- 2) Whether the learned Commissioner, Workmen Compensation, Kamrup can assess compensation under Section 4(1)(C) of the Employee's Compensation Act, 1923, without having any certificate of loss of earning capacity in a non schedule injury ?

Call for the LCR.

Issue notice upon the respondents under registered post with A/D as well as under usual process.

Steps be taken within five days.

List the matter after five weeks.

JUDGE

Comparing Assistant