



IN THE HIGH COURT OF ORISSA AT CUTTACK
MACA No. 150 of 2025

D.M., Oriental Insurance Co.
Ltd., Cuttack

Appellant
Mr. P.K. Mahali, Advocate

-versus-

Mahemdubhai A Momin &
Ors.

Respondents
Mr. S.K. Mohanty, Advocate
(Respondent Nos. 1 to 4)

CORAM:

THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

26.02.2026

Order No.08

I.A. No. 498 of 2026

1. This matter is taken up through hybrid mode.
2. Heard Mr. P.K. Mahali, learned counsel appearing for the Appellant and Mr. S.K. Mohanty, learned counsel appearing for Respondent No. 4.
3. This application has been filed seeking modification of order dtd.25.04.2025.
4. It is contended that the Tribunal while passing the award vide judgment dtd.02.04.2025 held Respondent No. 1 entitled to get the payment and accordingly direction was issued. Direction contained in judgment dtd.02.04.2025 reads as follows:-

“In the event of making such payment, the same shall be disbursed by this Tribunal to the Claimant-Petitioner No. 1 in the following manner.”

4.1. It is contended that even though Claimant-Respondent No. 1 was held entitled to get the entire award amount, but in order dtd.25.04.2025, this Court has passed an order to disburse the claim amount in favour of the Claimants-Respondent Nos.1 to 4 in Para 6.1 of the said order. It is accordingly contended that order dtd.25.04.2025 be modified by holding that the Claimant-Respondent



No. 1 is entitled to get the award amount so modified by this Court in its order dtd.25.04.2025.

5. Learned counsel appearing for the Appellant-Company does not dispute the contention raised.

6. Having heard learned counsel appearing for the Parties, considering the submission made and taking into account the nature of order passed by the Tribunal in its judgment dtd.02.04.2025, this Court while modifying order dtd.25.04.2025, held Claimant-Respondent No. 1 entitled to get the amount so modified by this Court in its order dtd.25.04.2025 and direct the Tribunal to release the said amount in favour of Claimant-Respondent No. 1, as it is contended by the learned counsel appearing for the Appellant that the amount has already been deposited in terms of order dtd.25.04.2025.

7. With the aforesaid modification, I.A. stands disposed of.

(BIRAJA PRASANNA SATAPATHY)
Judge

Sneha