

Employees' Compensation Act, 2010 - Injury during employment - Permanent disability - Medical Board constituted on orders of the High Court after 9 years, in 2017, of the report submitted before the commissioner has opined that the appellant has not suffered any permanent disability - Disability certificate issued by Civil Surgeon-cum-Medical Officer, was of the year 2009 and the Medical Board constituted pursuant to the order passed by the High Court examined the injured employee after a period of approximately nine years from the date of accident - At the relevant time, the employer did not make any application before the Commissioner, Employees' Compensation to constitute a Medical Board and the injured be examined by the Medical Board - Employer ought to have made such a request before the Commissioner, Employees' Compensation at the earliest opportunity - Appellant did suffer the injuries due to fall and at the relevant time, it affected his 60% earning capacity, it may not be that nothing was to be awarded to the appellant - injured employee by way of compensation.

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