

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE T.R.RAMACHANDRAN NAIR
&
THE HONOURABLE MR. JUSTICE K.P.JYOTHINDRANATH

WEDNESDAY, THE 24TH DAY OF JUNE 2015/3RD ASHADHA, 1937

MFA.No. 82 of 2006 ()

AGAINST THE ORER IN WCC 56/1999 of W.C.C.,THRISSUR

APPELLANT/SECOND OPPOSITE PARTY:

THE ORIENTAL INSURANCE CO. LTD.,
CHALAKUDY, REPRESENTED BY ITS ADMINISTRATIVE, OFFICER
REGIONAL OFFICE, ERNAKULAM NORTH, KOCHI-18.

BY ADV. SRI.GEORGE CHERIAN (THIRUVALLA)

RESPONDENTS/APPLICANT/FIRST OPPOSITE PARTY:

1. JOSE.M.V, S/O.VARGHESE,
MECHERY HOUSE, ELIJIPRA.P.O, CHALAKUDY
THRISSUR DISTRICT.

2. V.P.ANTONY,S/O.POULOSE,
VATTOLY HOUSE, KANJIRAPPILLY, CHALAKUDY
THRISSUR DISTRICT.

R1 BY ADV. SRI.JIJO PAUL

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON
24-06-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**T.R.RAMACHANDRAN NAIR &
K.P.JYOTHINDRANATH, JJ.**

M.F.A.No.82 OF 2006

Dated this the 24th day of June, 2015

JUDGMENT

Ramachandran Nair, J.

This appeal is filed by the Insurance Company aggrieved by the order passed by the Commissioner for Workmen's Compensation in W.C.C.No.56/1999.

2. Heard the learned Senior Counsel for the Insurance Company.

3. The application was filed by the first respondent herein seeking compensation for the personal injury sustained by him during the course of employment. He was a plumber employed by the first opposite party before the Commissioner. He sustained injuries while travelling in the scooter owned by the employer. Finally after taking evidence in the matter, the Workmen's Compensation Commissioner awarded an amount of ₹47,856/- with interest @ 12% per annum from 3.11.1998 to the date of deposit.

4. The learned Senior Counsel for the appellant submits that the legal issue raised in this case is covered against the appellant in view of the judgment of a Full Bench of this Court in **United India Insurance Company Ltd. v. Surendran (2015(1) KLT 45(F.B.)**.

In that view of the matter, no interference is called for. Accordingly, the appeal is dismissed. The interim order is vacated and we permit the applicant to withdraw the amount deposited. No costs.

T.R.RAMACHANDRAN NAIR, JUDGE

K.P.JYOTHINDRANATH,JUDGE

SV.