

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Civil Miscellaneous Appeal No.210 of 2013

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Dated 23rd April, 2015

Between:

The Oriental Insurance Company Limited

...Appellant

And

Smt.K.Parvathamma and others

...Respondents

Counsel for the appellant: Sri A.Rama Krishna Reddy

Counsel for respondent Nos.1 to 5: Sri I.Gopala Reddy

The Court made the following:

JUDGMENT:

This civil miscellaneous appeal is filed by the Oriental Insurance Company Limited against award, dated 06.09.2012, in W.C.No.15 of 2011, on the file of the Commissioner for Employees' Compensation and Deputy Commissioner of Labour-1, Hyderabad (for short 'the Commissioner'), whereby he has awarded a sum of Rs.5,55,429/- as compensation for the death of one Shankaraiah @ Sankar.

Sri P.R.Kumar, Regional Manager of the appellant, has filed an affidavit,

dated 12.03.2015, wherein he has *inter alia* stated that during the pendency of the appeal, the appellant and respondent Nos.1 to 5 have entered into a compromise as per which, respondent Nos.1 to 5 have agreed to forego a sum of Rs.40,000/-.

At the hearing, the learned counsel representing Sri I.Gopal Reddy, learned counsel for respondent Nos.1 to 5, affirmed the contents of the above-mentioned affidavit.

Sri A.Rama Krishna Reddy, learned counsel for the appellant, submitted that as the entire amount of Rs.5,55,429/- was deposited before the Commissioner, the parties will apportion the interest accrued thereon on the respective sums which they have agreed to receive.

In the light of the above facts, the CMA is disposed of by modifying the award to the extent that the appellant will take back a sum of Rs.40,000/- along with interest accrued thereon and respondent Nos.1 to 5 will receive the balance amount along with interest accrued thereon.

As a sequel to disposal of the CMA, CMA.MP.Nos.461/13 & 346/15 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

23rd April, 2015

VGB