

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**FAO No.30 of 2020**

***Divisional Manager, National  
Insurance Co. Ltd.***

.... ***Appellant***  
Mr.P.K.Mahali, Advocate

***-versus-***

***P.Tuni and others***

.... ***Respondents***  
Mr.Kalpataru Panigrahi, Advocate  
for Respondent Nos.1 to 4

**CORAM:  
JUSTICE B. P. ROUTRAY**

**ORDER  
3.3.2022**

**Order No.**

6.

1. Heard Mr.Mahali, learned counsel for the Appellant and Mr.Panigrahi, learned Advocate for Respondent Nos.1 to 4.

2. Present appeal by the Insurer is directed against impugned judgment/award dated 18<sup>th</sup> September, 2019 passed by the Commissioner for Employee's Compensation-Cum-Divisional Labour Commissioner, Cuttack in E.C.Case No.432-D/2015, wherein compensation to the tune of Rs.11,39,214/- has been granted on account of death of the deceased in course of his employment as helper in the truck bearing registration no.OR-21B-1486..

3. In course of hearing, a reduced compensation of Rs.5,70,000/- (Five lakhs seventy thousand) consolidated is proposed to the parties. The same is agreed by Mr.Panigrahi, learned counsel for the claimants-Respondent Nos. 1 to 4.

Mr.Mahali, learned counsel for the Insurer leaves it to the discretion of the Court. Accordingly, the amount is reduced to said extent.

4. Since the entire award amount has been deposited before the Commissioner for Employee's Compensation-Cum-Divisional Labour Commissioner, Cuttack, the Commissioner is directed to disburse the modified consolidated amount of Rs.5,70,000/-(Five lakhs seventy thousand) with proportionate accrued interest thereof in favour of the claimants within a period of two months from today. The balance amount with proportionate accrued interest thereof shall be refunded to the Insurer-Appellant.

5. The appeal is accordingly disposed of.

6. Urgent certified copy of this order be granted on proper application.

( **B.P. Routray** )  
**Judge**

CRBiswal