

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.28 of 2022

The Legal Manager, ICICI Lombard ***Appellant***
General Insurance Company Ltd.

Mr. J. Mishra, Advocate

-versus-

Bhima Behera ad others ***Respondents***
Mr. D. Pattanaik, Advocate for Respondent Nos.1 & 2

CORAM:

JUSTICE B. P. ROUTRAY

ORDER
31.03.2022

Order No.

02.

1. Heard Mr. J. Mishra, learned counsel for the Appellant-Insurance Company as well as Mr. D. Pattanaik, learned counsel for the Respondent Nos.1 & 2-claimants.

2. Present appeal by the insurer is directed against the judgment and award dated 24.11.2021 passed in E.C. Case No.25-J/2020 by the Commissioner for Employee's Compensation-cum-Joint Labour Commissioner, Cuttack wherein compensation to the tune of Rs.19,49,280/- has been granted to the claimants-Respondent Nos.1 & 2 on account of death of the deceased in course of and arising out of the employment as a driver in Truck bearing Registration No.OD-29-E-1125.

3. Both the parties files a joint memo for settlement of the award amount at Rs.16,49,280/- consolidated. The joint memo filed by both the parties in Court today be kept on record.

4. The appeal is disposed of as agreed by the parties reducing the compensation to the aforesaid amount.

5. Since the entire award amount has been deposited before the learned Commissioner, out of the said amount, a sum of Rs.16,49,280/- along with proportionate accrued interest be disbursed in favour of the claimants-Respondent Nos.1 & 2 within a period of eight weeks from today and the balance amount along with proportionate accrued interest thereon shall be refunded to the Appellant-Insurance Company within the same period on proper application.

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

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