

IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.96 of 2020

Legal Manager, M/s. Bajaj Allianz
General Insurance Company Ltd. ***Appellant***

Mr. Sayad Asif Ali, Advocates

-versus-

Wahid Mohammad and Another ***Respondents***

Mr. K. Panigrahi, counsel for Respondent No.1

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
13.9.2022

Order No.

I.A. No.95 of 2020

07. 1. The matter is taken up through hybrid mode.
2. Heard Mr. S.A. Ali, learned counsel for the insurer-Appellant and Mr. K. Panigrahi, learned counsel for claimant - Respondent No.1.
3. Upon hearing both parties and considering the grounds mentioned in the application the delay in filing the appeal is condoned.
4. The I.A. is disposed of.

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08. 5. Present appeal by the insurer is directed against the impugned award dated 19th October, 2019 passed by the learned Commissioner for Employee's Compensation-cum-Divisional Labour Commissioner,

Cuttack in E.C. Case No.257-D of 2015 wherein compensation to the tune of Rs.11,92,300/- including interest has been awarded on account of injuries sustained by the claimant arising out of and in course of his employment as helper in the truck bearing registration number OR 04 G 6129.

6. Upon hearing both parties and considering all such grounds of challenge, a reduced compensation of Rs.6,25,000/- consolidated is proposed to the parties. This is agreed by Mr. Panigrahi, learned counsel for the claimant – Respondent No.1 and Mr. Ali, learned counsel for the insurer leaves it to the discretion of the Court. As such the amount is fixed to the said extent.

7. Since the entire compensation amount has already been deposited before the learned Commissioner, out of the same a consolidated sum of Rs.6,25,000/- (six lakh twenty-five thousand) along with accrued interest thereof be disbursed in favour of the claimant – Respondent No.1 within a period of two months from today. The rest amount along with accrued interest thereof be refunded to the insurer – Appellant.

8. The appeal is disposed of.

9. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge