

IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.46 of 2022

Divisional Manager (T.P. Cell), M/s.
New India Assurance Company Ltd. ***Appellant***

Mr. G.P. Dutta, Advocate

-versus-

Siba Ram @ Siba Prasad Khatua and
Another ***Respondents***

Mr. P.K. Mishra, counsel for Respondent No.1

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
8.4.2022

Order No.

I.A. No.43 of 2022

01. 1. The I.A. is disposed of since no delay is there as per S.R.

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02. 2. Heard Mr. G.P. Dutta, learned counsel for the insurer-Appellant and Mr. P.K. Mishra, learned counsel for Respondent No.1.

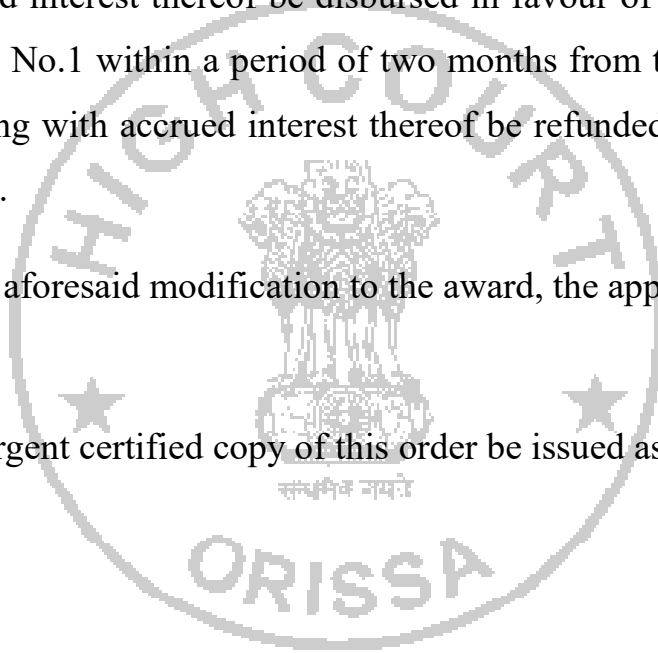
3. Present appeal by the insurer is directed against the award dated 29th November, 2021 of the learned Commissioner for Employee's Compensation-cum-Divisional Labour Commissioner, Cuttack in E.C. Case No.06-D of 2018 wherein compensation to the tune of Rs.9,16,941/- including interest has been awarded on account of injuries sustained by the claimant in course of his employment as driver of the truck bearing registration number OR 05 AG 2956.

4. Having heard both parties and considering the grounds of challenge, a reduced compensation of Rs.5,80,000/- consolidated is proposed to the parties. This is agreed by Mr. Mishra, learned counsel for the claimant – Respondent No.1 and Mr. Dutta leaves it to the discretion of the Court. As such the amount is fixed to the said extent.

5. Since the entire compensation amount has already been deposited before the learned Commissioner, out of the same a consolidated sum of Rs.5,80,000/- (five lakh eighty 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.

6. With aforesaid modification to the award, the appeal is disposed of.

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



(B.P. Routray)
Judge