

IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.52 of 2022

***The Divisional Manager, M/s. Oriental
Insurance Company Ltd.***

.... ***Appellant***

Mr. G.P. Dutta, Advocate

-versus-

Mamina Malik and Others

.... ***Respondents***

Mr. Debasis Patnaik, counsel for Respondents 1-5

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
19.9.2022

Order No.

- 03.
1. The matter is taken up through hybrid mode.
 2. Heard Mr. G.P. Dutta, learned counsel for the Appellant and Mr. D. Patnaik, learned counsel for claimant – Respondents 1-5.
 3. Present appeal by the insurer is directed against the award dated 20th November, 2021 passed by the learned Commissioner for Employee's Compensation-cum-Divisional Labour Commissioner, Cuttack in E.C. Case No.375-D of 2017 wherein compensation to the tune of Rs.11,64,299/- including interest has been awarded on account of death of deceased Dillip Kumar Malik arising out of and in course of his employment as driver in the truck bearing registration number OR 05 AS 4886.
 4. Upon hearing both parties and considering the grounds of challenge, a reduced compensation of Rs.9,50,000/- consolidated is

proposed to the parties. This is agreed by Mr. Patnaik, learned counsel for the claimant – Respondents and Mr. Dutta, learned counsel for the insurer 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.9,50,000/- (nine lakhs fifty thousand) along with accrued interest thereof be disbursed in favour of the claimant – Respondent Nos.1-5 within a period of two months from today. The rest amount along with accrued interest thereof be refunded to the insurer – Appellant.

6. The appeal is disposed of.

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

(B.P. Routray)
Judge