

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.26 of 2021

***The Divisional Manager,
M/s.New India Assurance Co. Ltd.***

.... Appellant

Mr.N.B.Das, Advocate

-versus-

China Mariyamma and another

.... Respondents

Mr.B.B.Singh, Advocate for Respondent No.1

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

**ORDER
09.5.2022**

Order No.

4.

1. Heard Mr.Das, learned counsel for the Appellant and Mr.Singh, learned Advocate for Respondent No.1.

2. Present appeal by the Insurer is directed against impugned judgment/award dated 23rd September, 2019 passed by the Commissioner for Employee's Compensation and Divisional Labour Commissioner, Balasore in E.C.Case No.6 of 2016, wherein compensation to the tune of Rs.7,04,781/- has been granted on account of death of the deceased in course of his employment as a helper in the truck bearing Registration No.AP-16TA-3479.

3. Having heard both parties and considering the grounds of challenge advanced, a reduced compensation of Rs.6,20,000/- consolidated is proposed to the parties in course of hearing. The same is agreed by Mr.Singh, learned counsel for the claimant-

Respondent No.1. Mr.Das, learned counsel for the Insurer-Appellant 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 and Divisional Labour Commissioner, Balasore, the Commissioner is directed to disburse the modified consolidated amount of Rs.6,20,000/- (Six lakhs twenty thousand) with proportionate interest accrued thereof in favour of the claimant 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

