

IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.66 of 2022

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

.... ***Appellant***

Mr. A.A. Khan, Advocates

-versus-

Sanjay Barik and Another

.... ***Respondents***

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

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
22.7.2022

Order No.

I.A. No.95 of 2022

01. 1. The matter is taken up through hybrid mode.
2. In view of the stamp reporting that there is no delay, the I.A. is disposed of.

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02. 3. Heard Mr. A.A. Khan, learned counsel for the insurer-Appellant and Mr. P.K. Mishra, learned counsel for claimant - Respondent No.1.
4. Present appeal by the insurer is directed against the award dated 23rd November, 2021 passed by the learned Commissioner for Employee's Compensation-cum-Divisional Labour Commissioner, Cuttack in E.C. Case No.69-D of 2018 wherein compensation to the tune of Rs.8,95,557/- including interest has been awarded on account of injuries sustained by the claimant arising out of and in course of his

employment as driver of the Tipper bearing registration number OR 05 AJ 6090.

5. Upon hearing both parties and considering the grounds of challenge, a reduced compensation of Rs.4,20,000/- consolidated is proposed to the parties. This is agreed by Mr. Mishra, learned counsel for the claimant – Respondent and Mr. Khan leaves it to the discretion of the Court. As such the amount is fixed to the said extent.

6. Since the entire compensation amount has already been deposited before the learned Commissioner, out of the same a consolidated sum of Rs.4,20,000/- (four lakh twenty 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.

7. The appeal is disposed of.

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

(B.P. Routray)
Judge