

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.104 of 2022

Divisional Manager (Legal), ***Appellant***
M/s.National Insurance Co. Ltd.

Mr.P.K.Mahali, Advocate

-versus-

Chintamani Sahoo and another ***Respondents***
Mr.K.K.Jena, Advocate for Respondent No.1

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
16.8.2022

Order No.

1. The matter is taken up through Hybrid mode.
2. Heard Mr.Mahali, learned counsel for the Appellant and Mr.Jena, learned Advocate for Respondent No.1.
3. Present appeal by the Insurer is directed against impugned judgment/award dated 21st January, 2020 passed by the Commissioner for Employee's Compensation-Cum-Divisional Labour Commissioner, Cuttack in W.C.Case No.140-D of 2004, wherein compensation to the tune of Rs.6,47,822/- has been granted on account of injuries sustained by the claimant in course of his employment as a helper in the truck bearing Registration No.OR-09-C-6412.
4. Upon hearing both parties and considering the grounds of challenge as well as the nature of injuries and the prescribed percentage of disability as per the schedule for claimant's loss of

vision in one eye, a reduced compensation of Rs.4,00,000/- consolidated is proposed to the parties in course of hearing. The same is agreed by Mr.Jena, learned counsel for the claimant-Respondent No.1. Mr.Mahali, learned counsel for the Insurer-Appellant leaves it to the discretion of the Court. Accordingly, the amount is reduced to said extent.

5. Since the entire award amount has been deposited before the Commissioner for Employee's Compensation-Cum-Divisional Labour Commissioner, Cuttack, the Commissioner is directed to disburse the modified consolidated amount of Rs.4,00,000/- (four lakhs) 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.

6. The appeal is accordingly disposed of.

7. Urgent certified copy of this order be granted on proper application.

(B.P. Routray)
Judge