

IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.116 of 2022

The Manager, Legal, M/s.
Cholamandalam MS General *Appellant*
Insurance Company Ltd.

Mr. G.P. Dutta, Advocate

-versus-

Firdos Parween and Others *Respondents*

Mr. K. Panigrahi, Counsel for Respondents 1&2

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
6.12.2022

Order No.

I.A. No.462 of 2022

01. 1. The matter is taken through hybrid mode.
2. Since no delay is there as per stamp reporting, the I.A. is disposed of.

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02. 3. Heard Mr. G.P. Dutta, learned counsel for the Appellant – insurer and Mr. K. Panigrahi, learned counsel for claimant – Respondents 1&2.
4. Present appeal is directed against the impugned award dated 22nd December, 2021 passed by the learned Commissioner for Employee's Compensation-cum-Joint Labour Commissioner, Cuttack in E.C. Case No.426-D of 2014, wherein compensation to the tune of Rs.10,41,101/- including interest has been awarded on account of death of the deceased Abdul Kayum arising out of and in course of his

employment as driver in the Auto Mega Max bearing registration number OR 21D 4237.

5. Upon hearing both parties and considering all such grounds advanced, a consolidated sum of Rs.6,00,000/- is proposed to the parties. This is agreed by Mr. Panigrahi, learned counsel for the claimant – respondents and Mr. Dutta, learned counsel for the insurer leaves it to the discretion of the court. Accordingly the compensation 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.6,00,000/- (six lakhs) along with accrued interest thereof be disbursed in favour of the claimant – Respondents 1 & 2 within a period of two months from today. The rest amount along with proportionate accrued interest 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