

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.566 of 2020

***Divisional Manager,
National Insurance Co.Ld.***

.... Appellant
Mr.P.K.Mahali, Advocate

-versus-

Jabar @ Jadar Mahammad and others Respondents
Mr.B.N.Rath, Advocate for Respondent Nos.1 to 2

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

**ORDER
15.02.2022**

Order No.

6.

1. Heard Mr.Mahali, learned counsel for the Appellant and Mr.Rath, learned Advocate for Respondent Nos.1 & 2.
2. Present appeal by the Insurer is directed against the impugned judgment/award dated 7th August, 2019 passed by the Commissioner for Employee's Compensation-cum-Divisional Labour Commissioner, Cuttack in E.C.Case No.304-D/2011, wherein compensation to the tune of Rs.13,98,595/- has been awarded on account of death of the deceased in course of his employment, who was working as helper in the truck bearing Registration No.OR-02-B-6311.
3. In course of hearing, a reduced compensation of Rs.6,50,000/-(Six lakhs fifty thousand) being proposed to the parties, Mr.Rath, learned counsel for the Claimants-Respondents agrees to the same. Mr.Mahali, learned counsel for the Insurer-Appellant leaves it to the discretion of the Court.

4. Having heard both parties, the compensation amount is reduced to Rs.6,50,000/-(Six lakhs fifty thousand). 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 award amount with proportionate accrued interest thereof in favour of the Claimants within a period of two months from today. The balance amount with proportionate accrued interest thereof shall be refunded to the Appellant. The impugned award is modified to the above extent.

5. The appeal is accordingly disposed of.

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

(B.P. Routray)
Judge