

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.213 of 2022

***Legal Manager,
M/s.Cholamandalam M/s. General
Insurance Company Limited***

.... Appellant

Mr.G.P.Dutta, Advocate

-versus-

Laxman Malik and others

.... Respondents

Mr.D.Pattnaik, Advocate for Respondent Nos.1 to 3

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

07.09.2022

Order No.

2.

1. The matter is taken up through Hybrid mode.
2. Heard Mr.Dutta, learned counsel for the Insurer-Appellant and Mr.Pattnaik, learned Advocate for claimants-Respondent Nos.1 to 3.
3. Present appeal by the Insurer is directed against impugned judgment/award dated 28th February, 2022 passed by the Commissioner for Employee's Compensation-Cum-Joint Labour Commissioner, Cuttack in E.C.Case No.261-D/2016, wherein compensation to the tune of Rs.15,65,522/- has been granted on account of death of the deceased in course of his employment as a driver of a Tata Ace bearing registration no.OD-05-A-4817.
4. Having heard both parties and considering the grounds of challenge advanced, a reduced compensation of Rs.8,50,000/- consolidated is proposed to the parties in course of hearing. The

same is agreed by Mr.Pattnaik, learned counsel for the claimants-Respondent Nos.1 to 3. Mr.Dutta, learned counsel for the Insurer 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-Joint Labour Commissioner, Cuttack, the Commissioner is directed to disburse the modified consolidated amount of Rs.8,50,000/-(Eight lakhs fifty thousand) 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 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