

IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.216 of 2022

***M/s. New India Assurance Co. Ltd.,
represented through Divisional
Manager***

.... ***Appellant***

Mr. G.P. Dutta, Advocate

-versus-

Rama Chandra Mohapatra & Another ***Respondents***

Mr. B.K. Mohanty, Counsel for Respondent No.1

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
27.10.2022

Order No.

- 03.
1. The matter is taken up through hybrid mode.
 2. Heard Mr. G.P. Dutta, learned counsel for the Appellant – insurer and Mr. B.K. Mohanty, learned counsel for claimant – Respondent No.1.
 3. Present appeal is directed against the impugned common award dated 18th January, 2022 passed by the learned Commissioner for Employee's Compensation-cum-Joint Labour Commissioner, Cuttack passed in E.C. Case No.215-D of 2016 & 216-D of 2016. Present appeal is in respect of E.C. Case No.215-D of 2016 wherein compensation to the tune of Rs.5,79,667/- has been awarded on account of injuries sustained by the injured-claimant arising out of and in course of his employment as driver in the truck bearing registration number OR 14P 5752.

4. Upon hearing both parties and considering all such grounds of challenge, a reduced consolidated sum of Rs.3,60,000/- is proposed to the parties. This is agreed by Mr. Mohanty, learned counsel for the claimant – injured 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.

5. Since the entire compensation amount has already been deposited before the learned Commissioner, out of the same a consolidated sum of Rs.3,60,000/- (three lakh sixty 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 proportionate accrued interest be refunded to the insurer – Appellant.

6. The appeal is disposed of.

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

(B.P. Routray)
Judge