

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.224 of 2022

*The Divisional Manager,
M/s.New India Assurance Company
Ltd.*

.... *Appellant*
Mr.P.Sinha, Advocate

-versus-

Minati Polei and others *Respondents*
Mr.D.Pattnaik, Advocate for Respondent Nos.1 to 5

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

**ORDER
16.8.2022**

Order No.

4.

1. The matter is taken up through Hybrid mode.
2. Heard Mr.Sinha, learned counsel for the Appellant and Mr.Pattnaik, learned Advocate for Respondent Nod.1 to 5.
3. Present appeal by the Insurer is directed against impugned judgment/award dated 9th February, 2022 passed by the Commissioner for Employee's Compensation-Cum-Joint Labour Commissioner, Cuttack in E.C.Case No.315-D/2019, wherein compensation to the tune of Rs.10,67,691/- has been granted on account of death of the deceased in course of his employment as a Driver in the truck bearing Registration No.OR-05-X-4500.
4. Having heard both parties and considering the grounds of challenge advanced, a reduced compensation of Rs.7,75,000/-

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 5. Mr.Sinha, 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 Employee's Compensation-Cum-Joint Labour Commissioner, Cuttack, the Commissioner is directed to disburse the modified consolidated amount of Rs.7,75,000/- (Seven lakhs seventy five thousand) with proportionate interest accrued 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