

IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.238 of 2022

***Regional Manager, M/s. Oriental
Insurance Company Ltd.***

.... ***Appellant***

Mr. Somnath Roy, Advocate

-versus-

Santosh Kumar Khatei and Another

.... ***Respondents***

Mr. Debasis Patnaik, counsel for Respondent No.1

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

30.8.2022

Order No.

- 03.
1. The matter is taken up through hybrid mode.
 2. Heard Mr. Somnath Roy, learned counsel for the Appellant and Mr. D. Patnaik, learned counsel for claimant – Respondent No.1.
 3. Present appeal by the insurer is directed against the award dated 19th March, 2022 passed by the learned Commissioner for Employee's Compensation-cum-Joint Labour Commissioner, Cuttack in E.C. Case No.235-D of 2019 wherein compensation to the tune of Rs.9,48,547/- including interest has been awarded on account of injuries sustained by the claimant – Respondent No.1 arising out of and in course of his employment as driver in the Tipper bearing registration number OR 09 G 8902.
 4. Upon hearing both parties and considering the grounds of challenge, a reduced compensation of Rs.7,20,000/- consolidated is

proposed to the parties. This is agreed by Mr. Patnaik, learned counsel for the claimant – Respondent No.1 and Mr. Roy, learned counsel for the insurer leaves it to the discretion of the Court. As such the 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.7,20,000/- (seven lakh twenty 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 accrued interest thereof 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