

IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.241 of 2022

The Divisional Manager, M/s. National Insurance Company Ltd. ***Appellant***

Mr. P.K. Mohanty, Advocate

-versus-

Haladhar Das and Another ***Respondents***

Mr. Debasis Patnaik, Counsel for Respondent No.1

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
30.9.2022

Order No.

05. 1. The matter is taken up through hybrid mode.
2. Heard Mr. P.K. Mohanty, learned counsel for the Appellant and Mr. D. Patnaik, learned counsel for claimant – Respondent No.1.
3. Present appeal is directed against the impugned award dated 17th January, 2022 passed by the learned Commissioner for Employee's Compensation-cum-Divisional Labour Commissioner, Cuttack in E.C. Case No.36-D of 2014 wherein compensation to the tune of Rs.11,60,556/- including interest has been awarded on account of injuries sustained by the injured-claimant arising out of and in course of his employment as Helper in the truck bearing registration number OR 21A 9762.
4. It is submitted by both parties that the registration number of the vehicle has been wrongly mentioned as "OR 21A 9762" in place of "OR 21A 9752".

5. Upon hearing both parties and considering the grounds of challenge, a reduced compensation of Rs.7,60,000/- consolidated is proposed to the parties. This is agreed by Mr. Patnaik, learned counsel for the claimant – Respondent No.1 and Mr. Mohanty, learned counsel for the insurer leaves it to the discretion of the Court. As such the amount is fixed to the said extent.

6. Since the entire compensation amount has already been deposited before the learned Commissioner, out of the same a consolidated sum of Rs.7,60,000/- (seven 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.

7. The appeal is disposed of.

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

(B.P. Routray)
Judge