

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.142 of 2021

The Manager (T.P.Cell), The Oriental Insurance Company Ltd.* *Appellant

Mr.M.C.Nayak, Advocate

-versus-

Jamal Khan @ Zamal Uddin Khan and another* *Respondents

Mr.B.N.Rath, Advocate for Respondent No.1

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

**ORDER
4.4.2022**

Order No.

3.

1. Heard Mr.Nayak, learned counsel for the Appellant and Mr.Rath, learned Advocate for Respondent No.1.

2. Present appeal by the Insurer is directed against impugned judgment/award dated 23rd April, 2021 passed by the Commissioner for Employee's Compensation-Cum-Joint Labour Commissioner, Cuttack in E.C.Case No.266-D of 2017, wherein compensation to the tune of Rs.14,70,242/- has been granted on account of injuries sustained by the claimant in course of his employment as the driver of Truck bearing Registration no.OR-04M-9089.

3. Having heard both parties and considering the grounds advanced, a reduced compensation of Rs.8,20,000/- (Eight lakhs twenty thousand) consolidated is proposed to the parties in course of hearing. The same is agreed by Mr.Rath, learned counsel for the claimant-Respondent No.1. Mr. Nayak, learned counsel for

the Insurer leaves it to the discretion of the Court. Accordingly, the amount is reduced to said extent.

4. 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.8,20,000/- (Eight lakhs twenty thousand) with proportionate accrued interest thereof in favour of the claimant within a period of two months from today. The balance amount with proportionate accrued interest thereof shall be refunded to the Insurer-Appellant.

5. The appeal is accordingly disposed of.

6. Urgent certified copy of this order be granted on proper application.

(**B.P. Routray**)
Judge

CRBiswal