

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.254 of 2022

D.M., Oriental Insurance Company Ltd. ***Appellant***

Mr.P.K.Mahali, Advocate

-versus-

Santosh Kumar Rout and another ***Respondents***
Mr.P.K.Mishra, Advocate for Respondent No.1

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
11.8.2022

Order No.

2.

1. The matter is taken up through Hybrid mode.
2. Heard Mr.Mahali, learned counsel for the Appellant and Mr.Mohanty, learned Advocate for Respondent No.1.
3. Present appeal by the Insurer is directed against impugned judgment/award dated 29th April, 2022 passed by the Commissioner for Employees' Compensation-Cum-Joint Labour Commissioner, Cuttack in E.C.Case No.366-D/2016, wherein compensation to the tune of Rs.9,09,748/- has been granted on account of death of the deceased in course of his employment as driver of the TATA Ace bearing registration no.OD-02-K-0289.
4. Having heard both parties and considering the grounds of challenge advanced, a reduced compensation of Rs.5,00,000/- consolidated is proposed to the parties in course of hearing. The same is agreed by Mr.Mishra, learned counsel for the claimant-Respondent No.1. Mr.Mahali, learned counsel for the Insurer

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 Commissioner for Employees' Compensation-Cum-Joint Labour Commissioner, Cuttack is directed to disburse the modified consolidated amount of Rs.5,00,000/-(Five lakhs 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.

6. The appeal is accordingly disposed of.

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

(*B.P. Routray*)
Judge