

IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.256 of 2022

Regional Manager (T.P. Hub), M/s.
Oriental Insurance Co. Ltd.

.... ***Appellant***

Mr. P.K. Mahali, Advocate

-versus-

Jyoti Ranjan Mohanty and Another

.... ***Respondents***

Mr. P.K. Mishra, Counsel for Respondent No.1

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
17.11.2022

Order No.

I.A. No.387 of 2022

- 02.
1. The matter is taken through hybrid mode.
 2. Heard Mr. P.K. Mahali, learned counsel for the Appellant – insurer and Mr. P.K. Mishra, learned counsel for claimant – Respondent No.1.
 3. Upon hearing both parties and considering the grounds mentioned in the limitation application, the delay in filing the appeal is condoned.
 4. The I.A. is disposed of.

FAO No.256 of 2022

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5. Heard both parties.
 6. Present appeal is directed against the impugned award dated 10th February, 2022 passed by the learned Commissioner for

Employee's Compensation-cum-Divisional Labour Commissioner, Jagatsinghpur in E.C. Case No.45 of 2018 wherein compensation to the tune of Rs.11,39,372/- 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 OD 05V 9051.

7. Upon hearing both parties and considering all such grounds advanced, a consolidated sum of Rs.7,30,000/- is proposed to the parties. This is agreed by Mr. Mishra, learned counsel for the claimant – respondent and Mr. Mahali, learned counsel for the insurer leaves it to the discretion of the court. Accordingly the compensation is fixed to the said extent.

8. Since the entire compensation amount has already been deposited before the learned Commissioner, out of the same a consolidated sum of Rs.7,30,000/- (seven lakh thirty thousand) along with accrued interest thereof be disbursed in favour of the claimant – Respondent within a period of two months from today. The rest amount along with proportionate accrued interest be refunded to the insurer – Appellant.

9. The appeal is disposed of.

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

(B.P. Routray)
Judge