

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.264 of 2022

M/s United India Insurance Co. Ltd. ***Appellant***
Mr.Bijoy Dasmohapatra, Advocate

-versus-

Ina Pradhan and others ***Respondents***
Mr.D.Pattnaik, Advocate
for Respondent Nos.1 to 4

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
18.10.2022

Order No.

I.A.No.419 of 2022

- 4.
1. The matter is taken up through Hybrid mode.
 2. Upon hearing both the parties and considering the grounds mentioned in the petition, delay in filing the appeal is condoned.
 3. The I.A. is disposed of.

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4. Heard Mr.Dasmohapatra, learned counsel for the Insurer-Appellant and Mr.Pattnaik, learned Advocate for claimants-Respondent Nos.1 to 4.

5. Present appeal by the Insurer is directed against impugned judgment/award dated 10th March, 2022 passed by the Commissioner for Employee's Compensation-Cum-Divisional Labour Commissioner, Cuttack in E.C.Case No.101-D of 2019, wherein compensation to the tune of Rs.16,94,420/- has been granted on account of death of the deceased in course of his

employment as a driver of a truck bearing registration no.OD-04H-4313.

6. Having heard both parties and considering the grounds of challenge advanced, a reduced compensation of Rs.10,00,000/- consolidated is proposed to the parties in course of hearing. The same is agreed by Mr.Pattnaik, learned counsel for the claimants-Respondent Nos.1 to 4. Mr.Mohapatra, learned counsel for the Insurer leaves it to the discretion of the Court. Accordingly, the amount is reduced to said extent.

7. Since the entire award amount has been deposited before the Commissioner for Employee's Compensation-Cum-Divisional Labour Commissioner, Cuttack, the Commissioner is directed to disburse the modified consolidated amount of Rs.10,00,000/-(Ten lakhs) with proportionate accrued interest thereof in favour of the claimants within a period of two months from today. The balance amount with proportionate accrued interest thereof shall be refunded to the Insurer-Appellant.

8. The appeal is accordingly disposed of.

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

(B.P. Routray)
Judge