

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.122 of 2017

***Sr. Divisional Manager,
National Insurance Company Ltd.***

Appellant
Mr.P.K.Mahali, Advocate

-versus-

Bishnu Charan Kar and others

Respondents
Mr.B.N.Rath, Advocate for Respondent Nos.1 & 2

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

ORDER
27.4.2022

Order No.

8.

1. Heard Mr.Mahali, learned counsel for the Appellant and Mr.Rath, learned Advocate for the claimants-Respondent Nos.1 and 2.

2. Present appeal by the Insurer is directed against impugned judgment/award dated 30th December, 2016 passed by the Commissioner for Employee's Compensation-Cum-Asst. Labour Commissioner, Odisha, Bhubaneswar in E.C.Case No.58 of 2012, wherein compensation to the tune of Rs.5,48,964/- has been granted on account of death of the deceased in course of his employment as a helper in the truck bearing Registration No.OR-G-9940.

3. 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.Rath, learned counsel for the claimants-Respondent Nos.1 and 2. Mr.Mahali, learned counsel for the Insurer-Appellant 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-Asst. Labour Commissioner, Odisha, Bhubaneswar, the Commissioner is directed to disburse the modified consolidated amount of Rs.5,00,000/- (five 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.

5. The appeal is accordingly disposed of.

6. The cross-objection filed by the claimant is not pressed.

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

(B.P. Routray)
Judge

