

IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.123 of 2017

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

.... ***Appellant***

Mr. P.K. Mahali, Advocate

-versus-

Urmila Dash and Another

.... ***Respondents***

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

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
9.5.2022

Order No.

08. 1. Heard Mr. P.K. Mahali, learned counsel for the insurer-Appellant and Mr. B.N. Rath, learned counsel for claimant - Respondent No.1.

2. Present appeal by the insurer is directed against the award dated 31st December, 2016 passed by learned Commissioner for Employee's Compensation-cum-Assistant Labour Commissioner, Odisha, Bhubaneswar in E.C. Case No.18 of 2013 wherein compensation to the tune of Rs.4,88,048/- has been awarded on account of death of deceased Subash @ Sukanta Kumar Dash arising out of and in course of his employment as helper of the truck bearing registration number OR 05 C 4913.

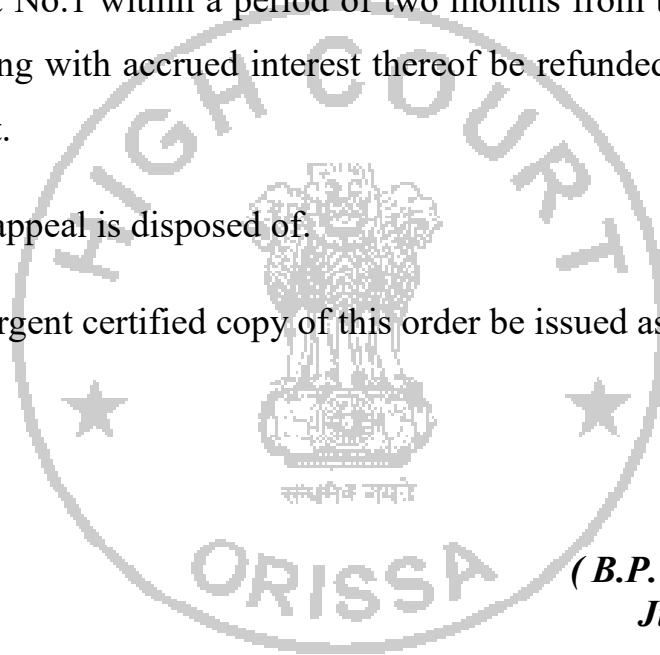
3. Having heard both parties and considering the grounds of challenge advanced in the appeal as well as in the cross objection by respective parties, a reduced compensation of Rs.4,50,000/-

consolidated is proposed to the parties. This is agreed by Mr. Rath, learned counsel for the claimant – Respondent and Mr. Mahali leaves it to the discretion of the Court. As such the amount is fixed to the said extent.

4. Since the entire compensation amount has already been deposited before the learned Commissioner, out of the same a consolidated sum of Rs.4,50,000/- (four lakh fifty thousand) along with accrued interest thereof be disbursed in favour of the claimant – Respondent No.1 within a period of two months from today. The rest amount along with accrued interest thereof be refunded to the insurer – Appellant.

5. The appeal is disposed of.

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



(B.P. Routray)
Judge