

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.288 of 2022

***Divisional Manager,
M/s.New India Assurance Company
Ltd.***

.... Appellant

Mr.S.K.Bose, Advocate

-versus-

Kabuli Pradhan and another

.... Respondents

Mr.B.N.Samantray, Advocate
for Respondent No.1.

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

**ORDER
20.10.2022**

Order No.

3.

1. The matter is taken up through Hybrid mode.
2. Heard Mr.Bose learned counsel for the Insurer-Appellant and Mr.Samantray, learned Advocate for claimant-Respondent No.1.
3. Present appeal by the Insurer is directed against impugned judgment/award dated 8th April, 2022 passed by the Commissioner for Employee's Compensation-Cum-Divisional Labour Commissioner, Cuttack in E.C.Case No.78-D/2017, wherein compensation to the tune of Rs.14,51,329/- has been granted on account of death of the deceased in course of his employment as a helper of a truck bearing registration no.OR-19F-4101.
4. Having heard both parties and considering the grounds of challenge advanced, a reduced compensation of Rs.8,25,000/- consolidated is proposed to the parties in course of hearing. The

same is agreed by Mr.Samantray, learned counsel for the claimant-Respondent No.1. Mr.Ghose, 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 Employee's Compensation-Cum-Divisional Labour Commissioner, Cuttack, the Commissioner is directed to disburse the modified consolidated amount of Rs.8,25,000/- (Eight lakhs twenty five 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