

IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.177 of 2021

***Legal Manager (T.P. Cell), M/s. New
India Assurance Company Ltd.***

.... ***Appellant***

Mr. B.C. Singh, Advocate

-versus-

Gagan Mallick and Another

.... ***Respondents***

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

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
19.4.2022

Order No.

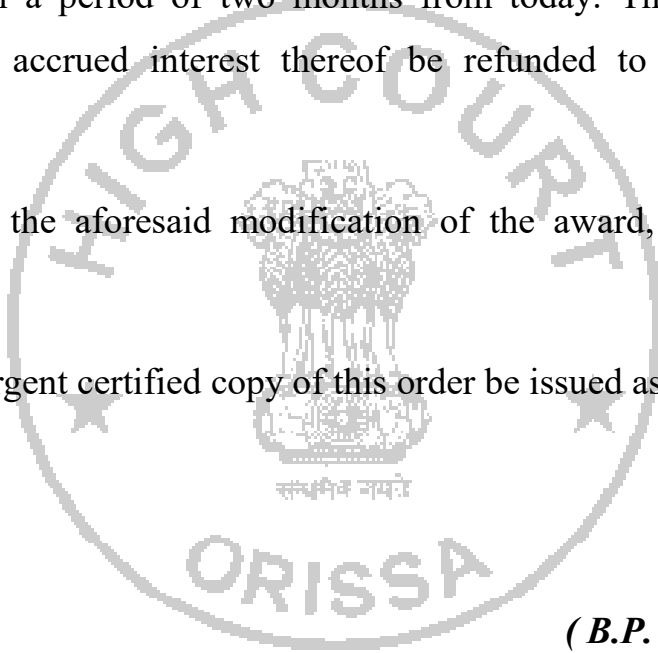
02. 1. Heard Mr. B.C. Singh, learned counsel for the insurer-Appellant and Mr. P.K. Mishra, learned counsel for claimant Respondent No.1.
2. Present appeal by the insurer is directed against the common award dated 30th April, 2021 of the learned Commissioner for Employee's Compensation-cum-Joint Labour Commissioner, Cuttack in E.C. Case Nos.283-D of 2015 and 284-D of 2015. The present appeal is in respect of E.C. Case No.284-D of 2015 wherein compensation to the tune of Rs.10,92,117/- including interest has been awarded on account of injuries sustained by the claimant in course of and arising out of his employment as labourer in the truck bearing registration number OR-04-E-6362.
3. Upon hearing both the parties and considering the grounds of challenge, a reduced compensation of Rs.9,00,000/- consolidated is

proposed to the parties in course of hearing. This is agreed by Mr. Mishra, learned counsel for the claimant-Respondent and Mr. Singh, learned counsel for the insurer leaves it to the discretion of the Court. As such, the amount is fixed to the above extent.

4. Since the entire compensation amount has already been deposited before the learned Commissioner, out of the same a consolidated sum of Rs.9,00,000/- (nine lakh) along with interest accrued 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. With the aforesaid modification of the award, the appeal is disposed of.

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



(B.P. Routray)
Judge