

IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.395 of 2022

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

....

Appellant

Mr. Somnath Roy, Advocate

-versus-

Malati Parida and Others

....

Respondents

Mr. D. Patnaik, Counsel for Respondents 1-3

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
25.11.2022

Order No.

01. 1. The matter is taken through hybrid mode.
2. Heard Mr. S. Roy, learned counsel for the Appellant – insurer and Mr. D. Patnaik, learned counsel for claimant – Respondents 1-3.
3. Present appeal is directed against the impugned award dated 1st August, 2022 passed by the learned Commissioner for Employee's Compensation-cum-Joint Labour Commissioner, Cuttack in E.C. Case No.144/2021/CUTT, wherein compensation to the tune of Rs.14,07,182/- including interest has been awarded on account of death of the deceased arising out of and in course of his employment as driver in the Mini truck bearing registration number OD 02C 9320.
4. Upon hearing both parties and considering all such grounds advanced, a consolidated sum of Rs.12,00,000/- is proposed to the parties. This is agreed by Mr. Patnaik, learned counsel for the claimant – respondent and Mr. Roy, learned counsel for the insurer

leaves it to the discretion of the court. Accordingly the compensation amount is fixed to the said extent.

5. Since the entire compensation amount has already been deposited before the learned Commissioner, out of the same a consolidated sum of Rs.12,00,000/- (twelve lakhs) along with accrued interest thereof be disbursed in favour of the claimant – Respondents 1 to 3 within a period of two months from today. The rest amount along with proportionate accrued interest be refunded to the insurer – Appellant.

6. The appeal is disposed of.

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



(B.P. Routray)
Judge

M.K.Panda