

IN THE HIGH COURT OF ORISSA AT CUTTACK
FAO No.401 of 2022

***The Manager, M/s. National Insurance
Company Ltd.*** ***Appellant***

Mr. Subrat Satpathy, Advocate

-versus-

Prafulla Kumar Das and Another ***Respondents***

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

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
15.12.2022

Order No.

01. 1. The matter is taken up through hybrid mode.
2. Heard Mr. S. Satpathy, learned counsel for the insurer – Appellant and Mr. P.K. Mishra, learned counsel for claimant – Respondent No.1.
3. Present appeal by the insurer is directed against the common impugned judgment dated 3rd September, 2022 of the learned Commissioner for Employee's Compensation-cum-Divisional Labour Commissioner, Odisha, Bhubaneswar passed in E.C. Case No.32 of 2013 and 33 of 2013. Present appeal is in respect of E.C. Case No.32 of 2013, wherein compensation to the tune of Rs.12,66,991/- including interest has been granted on account of injuries sustained by the claimant arising out of and in course of his employment as driver of the tractor trolley bearing registration number OR 05A 4953 and OR 05A 4954 respectively.
4. Upon hearing both parties and considering all such grounds advanced, a consolidated sum of Rs.6,25,000/- is proposed to the

parties. This is agreed by Mr. Mishra, learned counsel for the claimant – respondent and Mr. Satpathy, 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.6,25,000/- (six lakhs twenty five 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 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