

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.408 of 2022

***Manager, ICICI Lombard General
Insurance Company Ltd.***

.... ***Appellant***

Mr.S.K.Ghose, Advocate

-versus-

Pradipta Bahalia and another

.... ***Respondents***

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

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

5.12.2022

Order No.

2.

1. The matter is taken up through Hybrid mode.
2. Heard Mr.J.S.Mishra, learned counsel for the Insurer-Appellant and Mr.D.P.Mishra on behalf of Mr.P.K.Mishra, learned Advocate for claimant-Respondent No.1.
3. Present appeal by the Insurer is directed against impugned judgment/award dated 2nd September, 2022 passed by the Commissioner for Employee's Compensation-Cum-Joint Labour Commissioner, Cuttack, in E.C.Case No.00070/2021/CUTT, wherein compensation to the tune of Rs.11,94,948/- has been granted along with interest on account of injuries sustained by the claimant in course of his employment as a helper of a Truck bearing registration no.OD-15B-4795.
4. Having heard both parties and considering the grounds of challenge advanced, a reduced compensation of Rs.9,50,000/-

consolidated is proposed to the parties in course of hearing. The same is agreed by Mr.Mishra, learned counsel for the claimant-Respondent No.1. Mr.J.S.Mishra, 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-Joint Labour Commissioner, Cuttack, the Commissioner is directed to disburse the modified consolidated amount of Rs.9,50,000/-(Nine lakhs fifty 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. It is further submitted at the Bar that the name of "M/s. United India Insurance Co. Ltd." has been wrongly mentioned in the ordering portion of the impugned judgment instead of the name of "M/s.ICICI Lombard General Insurance Co. Ltd.". The same is corrected accordingly.

7. The appeal is accordingly disposed of.

8. Urgent certified copy of this order be granted on proper application.

(B.P. Routray)
Judge

