

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.314 of 2021

Divisional Manager,

M/s.National Insurance Co. Ltd.

....

Appellant

Mr.S.K.Mohanty, Advocate

-versus-

Mirarani Sahoo and others

....

Respondents

**Mr.Biswajit Mohanty, Advocate
for Respondent Nos.1 to 5**

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

23.3.2022

Order No.

4.

1. Heard Mr.S.K.Mohanty learned counsel for the Appellant and Mr.B.Mohanty, learned Advocate for Respondent Nos.1 to 5.

2. Present appeal by the Insurer is directed against impugned judgment/award dated 21st September, 2021 passed by the Commissioner for Employee's Compensation-Cum-Joint Labour Commissioner, Cuttack in E.C.Case No.37-D/2019, wherein compensation to the tune of Rs.8,47,213/- including interest has been granted on account of death of the deceased in course of his employment as Driver in the Car bearing registration no.OR-05-AM-2012.

3. Having heard both parties and considering the grounds advanced, a reduced compensation of Rs.7,50,000/-(Seven lakhs fifty thousand) consolidated is proposed to the parties in course of hearing. The same is agreed by Mr.B.Mohanty, learned counsel for the claimants-Respondent Nos.1 to 5. Mr.Mohanty, learned

counsel for the Insurer leaves it to the discretion of the Court. Accordingly, the amount is reduced to said extent.

4. 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.7,50,000/-(Seven lakhs fifty thousand) with proportionate accrued interest thereof in favour of the claimants within a period of two months from today. The balance amount with proportionate accrued interest thereof shall be refunded to the Insurer-Appellant.

5. The appeal is accordingly disposed of.

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

(B.P. Routray)
Judge