

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.315 of 2021

***Divisional Manager, Oriental
Insurance Co. Ltd.***

.... ***Appellant***
Mr.P.K.Mahali, Advocate

-versus-

Santosh Kumar Sethi and another ***Respondents***
Mr.Kalpataru Panigrahi, Advocate
for Respondent No.1

**CORAM:
JUSTICE B. P. ROUTRAY**

**ORDER
3.3.2022**

Order No.

2.

1. Heard Mr.Mahali, learned counsel for the Appellant and Mr.Panigrahi, learned Advocate for Respondent No.1.

2. The present appeal by the Insurer is directed against impugned judgment/award dated 18th September, 2019 passed by the Commissioner for Employee's Compensation-Cum-Joint Labour Commissioner, Cuttack in E.C.Case No.103-D/2016 &110-D/2016, wherein compensation to the tune of Rs.9,74,856/- has been granted on account of injury sustained by the claimant in course of his employment as driver in the truck bearing registration no.OR-05F-4650.

3. In course of hearing, a reduced compensation of Rs.3,00,000/-(Three lakhs) consolidated is proposed to the parties. The same is agreed by Mr.Panigrahi, learned counsel for the claimant-Respondent No.1. Mr.Mahali, 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.3,00,000/-(Three lakhs) 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.

5. The appeal is accordingly disposed of.

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

(B.P. Routray)
Judge

CRBiswal