

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No.329 of 2021

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

.... Appellant

Mr.B.C.Singh, Advocate

-versus-

Manas Jena and another

.... Respondents

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

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

**ORDER
20.4.2022**

Order No.

5.

1. Heard Mr.Singh, learned counsel for the Appellant and Mr.Mishra, learned Advocate for Respondent No.1.

2. Present appeal by the Insurer is directed against impugned judgment/award dated 29th November, 2021 passed by the Commissioner for Employee's Compensation-Cum-Divisional Labour Commissioner, Odisha, Bhubaneswar in E.C.Case No.328 of 2014, wherein compensation to the tune of Rs.5,22,084/- has been granted on account of injuries sustained in course of his employment as a labourer in the truck bearing Registration No.OR-04-D-8415.

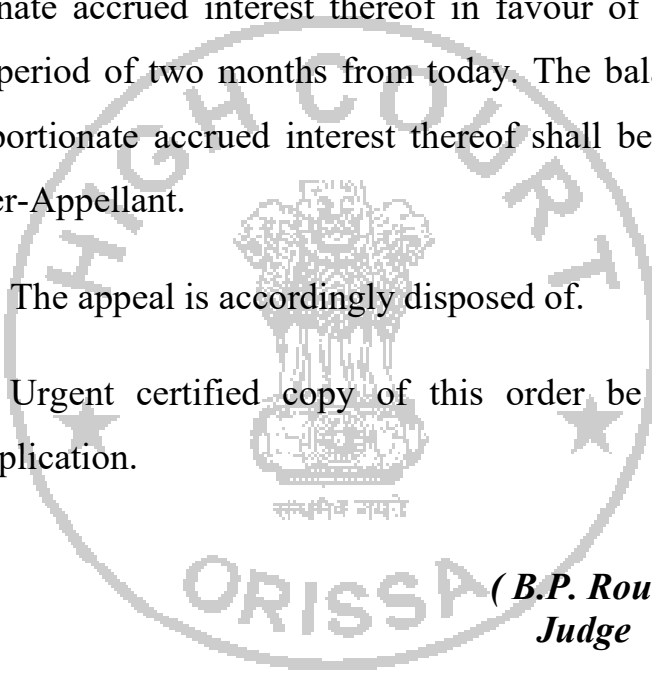
3. Having heard both parties and considering the grounds advanced, a reduced compensation of Rs.4,30,000/- consolidated is proposed to the parties in course of hearing. The same is agreed by Mr.Mishra, learned counsel for the claimant-Respondent No.1.

Mr.Singh, learned counsel for the Insurer-Appellant 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-Divisional Labour Commissioner, Odisha, Bhubaneswar, the Commissioner is directed to disburse the modified consolidated amount of Rs.4,30,000/- (four lakhs thirty 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.

5. The appeal is accordingly disposed of.

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

The seal of the Orissa High Court is a circular emblem. It features the Ashoka Lion Capital in the center, with the words 'HIGH COURT' in an arc above it and 'ORISSA' in an arc below it. At the bottom, there is a Sanskrit motto. The seal is faintly visible in the background of the text.
(**B.P. Routray**)
Judge