
(2022) 09 OHC CK 0088
In the Orissa High Court
Case No : FAO No. 115 Of 2022

Divisional Manager, M/s.New India Assurance Co. Ltd APPELLANT
Vs
Madhab Nayak And Another RESPONDENT

Date of Decision : 13-09-2022

Acts Referred:

Citation : (2022) 09 OHC CK 0088

Hon'ble Judges : B. P. Routray, J

Bench : Single Bench

Advocate : S.K. Sarangi, D. Patnaik

Final Decision : Disposed Of

Judgement

B. P. Routray, J

1. Heard Mr. S.K. Sarangi, learned counsel for the Appellant-Insurance Company and Mr. D. Patnaik, learned counsel for the Respondent No.1-claimant.

2. Present appeal by the insurer is directed against the judgment and award dated 01.02.2022 passed in E.C. Case No.116-D/2018

by the Commissioner for Employee's Compensation-cum-Joint Labour Commissioner, Cuttack wherein compensation to the tune of Rs.13,10,737/- including interest has been granted to the claimant-Respondent No.1 on account of injuries sustained in course of and arising out of the employment as the cleaner in a Bus bearing Registration No.OR-05-Z-3349 belonging to Respondent No.2.

3. Upon hearing both the parties and considering the grounds of challenge advanced, a reduced compensation of Rs.7,50,000/-(Rupees Seven Lakhs Fifty Thousand) consolidated is proposed to the parties in course of hearing. Mr. D. Patnaik, learned counsel for the claimant-Respondent No.1 agrees to the same and Mr. S.K. Sarangi, learned counsel for Appellant-Insurance Company leaves it to the discretion of the Court. The compensation amount is accordingly fixed to

that extent.

4. Since the entire award amount has been deposited before the learned Commissioner, out of the said amount, a sum of Rs.7,50,000/- along with proportionate accrued interest be disbursed in favour of the claimant-Respondent No.1 within a period of eight weeks from today and the balance amount along with proportionate accrued interest thereon shall be refunded to the Appellant-Insurance Company within the same period on proper application.

5. With aforesaid modification of the award, the FAO is disposed of.

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

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