
(2023) 03 OHC CK 0187
In the Orissa High Court
Case No : FAO No.312 Of 2022

Divisional Manager, M/s.Oriental Insurance Company Ltd	APPELLANT
Vs	
Monika Behera And Others	RESPONDENT

Date of Decision : 24-03-2023

Acts Referred:

Citation : (2023) 03 OHC CK 0187

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

Bench : Single Bench

Advocate : S. Satapathy, P.K. Mishra

Final Decision : Disposed Of

Judgement

B. P. Routray, J

I.A. No.753 of 2022

1. Heard Mr. S. Satapathy, learned counsel for the Appellant-Insurance company and Mr. P.K. Mishra, learned counsel for the Respondent Nos.1 to 3-claimants.

2. Upon hearing both the parties and considering the grounds mentioned in the petition, the delay in filing the appeal is condoned.

3. The I.A. is disposed of.

FAO No.312 of 2022

4. Present appeal by the insurer is directed against the judgment and award dated 2.6.2022 passed in E.C. Case No.03/2019 by the

Commissioner for Employee's Compensation-cum-Divisional Labour Commissioner, Dhenkanal wherein compensation to the tune of Rs.8,28,800/- together with interest @ 12% per annum has been granted to the claimants-Respondent Nos.1 to 4 on account of death of the deceased in course of and arising out of the employment as a driver in the Car bearing Registration

No.OR-06-K-2241 belonging to Respondent No.5.

5. The name of Respondent No.4 is deleted as prayed by the parties.

6. Upon hearing both the parties and considering all such grounds of challenge advanced, compensation of Rs.11,50,000/- (Rupees Eleven Lakhs Fifty Thousand) consolidated is proposed to the parties in course of hearing. Mr. P.K. Mishra, learned counsel for the claimants-Respondent Nos.1 to 3 agrees to the same and Mr. S. Satpathy, learned counsel for Appellant-Insurance Company leaves it to the discretion of the Court. The compensation amount is accordingly fixed to that extent.

7. Since an amount of Rs.8,28,800/- has already been deposited in the meantime, the Appellant-Insurance Company is directed to deposit the balance amount of Rs.3,21,200/- before the learned Commissioner, within a period of eight weeks from today. Upon deposit of the balance amount, the entire amount as modified above along with accrued interest on the former amount be disbursed in favour of the claimants-Respondent Nos.1 to 3 on proper application.

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

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

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