

(2021) 08 OHC CK 0070
In the Orissa High Court
Case No : FAO NO.147 Of 2021

Divisional Manager, Oriental Insurance Co. Ltd

APPELLANT

Vs

Prabasini Rout & Ors

RESPONDENT

Date of Decision : 12-08-2021

Acts Referred:

Citation : (2021) 08 OHC CK 0070

Hon'ble Judges : Biswanath Rath, J

Bench : Single Bench

Advocate : A.A.Khan, P.K.Mishra

Final Decision : Disposed Of

Judgement

Biswanath Rath, J

I.A.NO.306 OF 2021 & FAO NO.147 OF 2021

1. Heard Mr. A.A. Khan, learned counsel for the Appellant and Mr. P.K. Mishra, learned counsel for Respondent Nos.1 to 4.

2. For the Registry indicating no delay in filing the Appeal, this Court goes by the Registry's observation. The I.A. on the question of delay stands dropped.

3. On consent of the Parties, the appeal is taken up for final disposal. This matter involves a challenge to the award being passed by the Commissioner for Employees' Compensation-cum-Joint Labour Commissioner, Cuttack in E.C. Case No.273-D/2018. The impugned award is challenged on the grounds mentioned therein with regard to quantum.

4. During course of submission, while not inclining to entertain the grounds on which the impugned award is challenged, this Court, however, finds,

there is exorbitant grant of compensation.

5. Considering the rival contentions of the parties with regard to the compensation aspect, this Court observes, grant of a sum of Rs.5,95,000/-

(Rupees five lakh ninety five thousand) only as consolidated will meet the ends of justice. In such view of the matter, while interfering with the

impugned order only in the compensation aspect, this Court reduces the same to a consolidated sum of Rs.5,95,000/- (Rupees five lakh ninety five

thousand) only from Rs.9,86,593/- (Rupees nine lakh eighty six thousand five hundred ninety three) only. Since the amount is already deposited before

the Commissioner for Employees' Compensation -cum- Joint Labour Commissioner, Cuttack, the modified awarded amount be released in favour

of the claimant no.1 with proportionate accrued interest and the balance amount with accrued interest be released in favour of the Appellant.

6. With the above observation and direction, the I.A. as well as the FAO stands disposed of..

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