

**(2023) 05 OHC CK 0239**  
**In the Orissa High Court**  
**Case No : FAO No.223 Of 2023**

Manager Legal, M/s.Cholamandalam MS Geneal Insurance  
Company Limited

APPELLANT

Vs

Biswanath Pradhan And Another

RESPONDENT

**Date of Decision : 17-05-2023**

**Acts Referred:**

**Citation : (2023) 05 OHC CK 0239**

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

**Bench : Single Bench**

**Advocate : G.P. Dutta, K. Das**

**Final Decision : Disposed Of**

## **Judgement**

B. P. Routray, J

I.A. No.383 of 2023

1. Copy of receipt of deposit of the award amount before the learned Commissioner is filed in Court today. The same is kept on record.

2. The I.A. is disposed of.

FAO No.223 of 2023

3. Heard Mr. G.P. Dutta, learned counsel for the Appellant-insurance company and Mr. K. Das, learned counsel for the Respondent No.1-claimant.

4. Present appeal by the insurer is directed against the judgment and award dated 15.03.2023 passed in E.C. Case No.244/2015 by the Commissioner for Employee's Compensation-cum-Divisional Labour Commissioner, Odisha, Bhubaneswar, wherein compensation to the tune of Rs.17,49,172/- including interest has been granted to the claimant-Respondent No.1 on account of injury sustained by him in course of and arising out of the employment as a helper in the Truck bearing Registration No.OR-09-K-3041 belonging to Respondent No.2.

5. Upon hearing both parties and considering all such grounds of challenge advanced, a reduced compensation of Rs.11,00,000/-(Rupees Eleven Lakhs) consolidated is proposed to the parties in course of hearing. Mr. K. Das, learned counsel for the claimant-Respondent No.1 agrees to the same and Mr. G.P. Dutta, learned counsel for Appellant-Insurance Company leaves it to the discretion of the Court. The compensation amount is accordingly fixed to that extent.

6. Since the entire award amount has been deposited before the learned Commissioner, out of the said amount, a consolidated sum of Rs.11,00,000/- 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.

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

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

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