
(2023) 05 OHC CK 0136
In the Orissa High Court
Case No : FAO No.440 Of 2022

Manager Legal (T.P. Cell), The New India Assurance Co.Ltd

APPELLANT

Vs

Juli Devi & Ors

RESPONDENT

Date of Decision : 09-05-2023

Acts Referred:

Citation : (2023) 05 OHC CK 0136

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

Bench : Single Bench

Advocate : G.P.Dutta, J.Mohanty

Final Decision : Disposed Of

Judgement

B. P. Routray, J

1. The matter is taken up through Hybrid mode.
2. Heard Mr. Dutta, learned counsel for the Insurer-Appellant and Mr. Mohanty, learned counsel for Respondents.
3. Present appeal by the Insurer is directed against impugned judgment/award dated 29th August, 2022 passed by the Commissioner for Employee's Compensation-Cum-Joint Labour Commissioner, Cuttack in E.C. Case No. 79-D/2019, wherein compensation to the tune of Rs.13,74,425/- has been granted on account of death of the deceased in course of his employment as a driver of the Tankar bearing registration No.NL-02Q-0893.
4. Having heard both parties and considering all such grounds of challenge advanced, a reduced compensation of Rs.7,90,000/-consolidated is proposed to the parties in course of hearing. The same is agreed by Mr. Mohanty, learned counsel for claimant-Respondent No.1. Mr. Dutta, learned counsel for the Insurer leaves it to the discretion of the Court. Accordingly, the amount is reduced to said extent.

5. Since the entire award amount has been deposited before the Commissioner for Employee's Compensation-Cum-Joint Labour Commissioner, Cuttack, the Commissioner is directed to disburse the reduced consolidated amount of Rs. 7,90,000/-(Seven lakhs ninety 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.

6. The appeal is accordingly disposed of.

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

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