

**I.A.No.524 of 2020**

3 30.06.2021

This matter is taken up by video conferencing mode.

Heard Mr.A.A.Khan, learned counsel for the appellant and Mr.K.K.Das, learned counsel for the respondent no.1,

This application is filed for condonation of delay in filing of the appeal.

Considering the rival contentions of the parties, 104 days in filing the appeal stands condoned but subject to appellant's paying a sum of Rs.2,000/- (Rupees two thousand) as cost to the learned counsel for the respondent no.1, which is paid in Court.

Consequently the I.A. stands disposed of accordingly.

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***Biswanath Rath,J.***

**F.A.O.No.91 of 2020**

4 30.06.2021

Since the delay in filing the F.A.O.No.91 of 2020 is condoned, on consent of the parties, the appeal is taken up for final disposal.

Heard Sri A.A.Khan, learned counsel for the appellant and Sri K.K.Das, learned counsel for the Respondent No.1.

This matter involves a challenge to the award being passed by the Commissioner for Employees' Compensation-cum-Divisional Labour Commissioner, Cuttack in E.C. Case No.192-D of 2017.

This impugned award is challenged on the grounds mentioned therein with regard to quantum.

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.

Considering the rival contentions of the parties with regard to the compensation aspect, this Court observes grant of a sum of Rs.4,30,000/- (Rupees four lakhs thirty 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.4,30,000/- (Rupees four lakhs thirty thousand) only from Rs.6,93,581/- Rupees six lakhs ninety three thousand five hundred eighty one ) only. Since the amount is already deposited before the Commissioner for Employees' Compensation-cum-Divisional Labour Commissioner, Cuttack, the modified awarded amount be released in favour of the Claimant(s) with proportionate accrued interest and the balance amount with accrued interest be released in favour of the Appellant.

With the above observation and direction, the F.A.O. stands disposed of.

As restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25.3.2020 as modified by Court's Notice No.4798, dated 15<sup>th</sup> April, 2021.

sks

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**Biswanath Rath,J.**