

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.3 of 2022

***Oriental Insurance Company Ltd. and
another***

.... ***Appellants***
Mr.G.P.Dutta, Advocate

-versus-

Brundaban Patra and others

.... ***Respondents***

Mr.G.N.Mishra, Advocate for Respondent Nos.1 to 3
Mr.Ramashish Acharya on behalf of
Mr.D.B.Das, Advocate for Respondent No.4

**CORAM:
JUSTICE B. P. ROUTRAY**

**ORDER
29.3.2022**

Order No.

3.

1. Heard Mr.Dutta, learned counsel for the Appellant and Mr.Mishra, learned counsel for the claimants-Respondent Nos.1 to 3 as well as Mr.R.Acharya on behalf of Mr.Das, learned counsel for Respondent No.4.

2. Present appeal by the Insurer is directed against the judgment dated 30th October, 2021 passed by learned 1st M.A.C.T., Mayurbhanj, Baripada in MAC No.70 of 2019, wherein compensation to the tune of Rs.13,28,700/- has been granted along with interest @ 7% per annum with effect from the date of filing of the claim application on account of death of the deceased in the motor vehicular accident dated 27th June, 2019.

3. Having heard both parties and considering the grounds advanced, a reduced compensation of Rs.12,00,000/- along with

interest @6% per annum is proposed to the parties in course of hearing. This is agreed by Mr.Mishra, learned counsel for the claimants-Respondent Nos.1 to 3. Mr.Dutta, learned counsel for the Insurer leaves it to the discretion of the Court. Learned counsel for the Respondent No.4 also does not object to the same. As such, the amount is fixed to that extent.

4. The Insurer-Appellant is directed to deposit the reduced compensation of Rs.12,00,000/-(Twelve lakhs) before the tribunal along with interest @6% per annum from the date of filing of the claim application within a period of two months from today; where-after the same shall be disbursed in favour of the claimants on same terms and proportion as directed by the Tribunal.

5. With aforesaid modification in the compensation amount, the appeal is disposed of.

6. The statutory deposit made by the Appellant with accrued interest thereon be refunded to him on proper application and on production of proof of deposit of the award amount before the learned Tribunal.

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

(B.P. Routray)
Judge

