

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.1060 of 2017

Branch Manager, Oriental Insurance Appellant
Company Ltd.

Mr. Somnath Roy, Advocate

-versus-

Ritanjali Meher and Others Respondents

Mr. S.B. Das, counsel for Respondent Nos.1-3

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER
19.9.2022

Order No.

- 09.
1. The matter is taken up through hybrid mode.
 2. Heard Mr. S. Roy, learned counsel for the insurer – Appellant and Mr. S.B. Das, learned counsel for claimant-Respondents 1-3.
 3. Present appeal by the insurer is against the impugned judgment dated 26th June, 2017 of the learned MACT, Bargarh passed in MAC Case No.24 of 2012 wherein compensation to the tune of Rs.15,22,339/- along with interest @ 7% per annum from the date of filing of the claim application, i.e. 3rd March, 2012 has been granted on account of death of deceased Binayananda Meher in the motor vehicular accident dated 12th September, 2011.
 4. Upon hearing both parties and considering all such grounds advanced, a reduced compensation of Rs.13,50,000/- along with interest @ 6% per annum is proposed to the parties. This is agreed by

Mr. Das, learned counsel for the claimants and Mr. Roy, learned counsel for the insurer leaves it to the discretion of the Court. As such the compensation amount is fixed to the above extent.

5. In the result, the appeal is disposed of with a direction to the insurer – Appellant to deposit before the tribunal a reduced compensation of Rs.13,50,000/- (thirteen lakh fifty thousand) along with interest @ 6% per annum from the date of filing of the claim application, i.e. 3rd March, 2012, within a period of two months from today; where-after the same shall be disbursed in favour of the claimant – Respondents on such terms and proportion to be decided by the learned Tribunal.

6. It goes without saying that this court has not disturbed the right of recovery granted by the tribunal in favour of the insurer.

7. The statutory deposit made by the insurer - Appellant before this court along with accrued interest be refunded to the Appellant - insurer on proper application and on production of proof of deposit of the awarded amount before the tribunal.

8. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge