

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.226 of 2018

Divisional Manager, ***Appellant***
M/s. National Insurance Company Ltd.
Mr.B.N.Udgata, Advocate

-versus-

Ajoya Kumar Ojha and others ***Respondents***
Mr.K.C.Nayak Advocate for Respondent No.1

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
08.09.2022

Order No.

9.

1. The matter is taken up through Hybrid mode.
2. Heard Mr.Udgata, learned counsel for the Appellant and Mr.Nayak, learned counsel for the claimant-Respondent No.1.
3. Present appeal by the Insurer-Appellant is directed against the judgment dated 20th November, 2017 passed by learned 1st Addl. District Judge-cum-1st M.A.C.T., Cuttack in M.A.C. Case No.996 of 2004, wherein compensation to the tune of Rs.20,000/- has been granted along with interest @ 6% per annum with effect from the date of filing of the claim application on account of injury sustained by the claimant in the motor vehicular accident dated 14th February, 2004.
4. Upon hearing Mr.Udgata, learned counsel for the Insurer-Appellant and Mr.Nayak, learned counsel for the claimant-

Respondent No.1 and considering all such grounds of challenge discussed in the connected appeal, i.e. MACA No.227 of 2018, disposed of by this Court in a separate order today and further taking note that no such challenge is advanced with regard to quantum, the appeal is dismissed with a direction to the Insurer-Appellant to deposit the entire compensation amount including interest within a period of two months from today; where-after the same shall be disbursed in favour of the claimant-Respondent No.1 on such terms and proportion to be fixed by the Tribunal. However, the penal interest of 12% as directed by the Tribunal is waived.

5. 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.

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

(B.P. Routray)
Judge