

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.115 of 2017

M/s. Shriram G.I. Co. Ltd.

Appellant

-versus-

Rabi Jena & Ors.

Respondents

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
07.03.2022**

Order No

07. 1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel for the Appellant and learned counsel appearing for the Claimants-Respondents.

3. This appeal has been filed by the Appellant-Company challenging the award passed by the learned 7th MACT, Bhubaneswar in MAC Case No.91 of 2015 vide judgment dated 28.12.2016.

4. Learned Tribunal on the said judgment while allowing the claim of the Claimants-Respondents has directed to pay compensation amount of Rs.13,66,000/- with interest @ 6% per annum from the date of filing of the case till the date of payment.

5. It is submitted by Mr. A. Das, on behalf of Mr. Goutam Mishra, learned Senior Counsel that the learned Tribunal while passing the impugned judgment has wrongly applied the multiplier 18 in place of multiplier 14. In support of such

submission learned counsel for the Appellant relied on the decision of the Hon'ble Apex Court in the case of ***Girija Insurance Co. Ltd. Vrs. Shantipatha (Smt) & Ors.*** reported in ***2007 Volume 10 SCC Page 1.***

6. Per contra, learned counsel appearing for the Claimants-Respondents argued that the learned Tribunal has applied the right multiplier and the compensation so added is just and proper.

7. Having heard learned counsel for the Appellant and learned counsel for the Claimants-Respondents, I propose to dispose of the Appeal in the spirit of the Lok Adalat and both counsels also agree with the same.

8. Having heard both the Parties, I deem it proper to reduce the compensation amount from Rs.13,66,000/- to Rs.13,00,000/- while keeping the interest @ 6% per annum.

9. Accordingly, I direct the Appellant-Company to pay the aforesaid compensation amount of Rs.13,00,000/- with simple interest @ 6% per annum from the date of filing of the case till its payment within a period of eight weeks from today.

10. It is observed that only after payment of the aforesaid amount along with interest, the Appellant-Company will be permitted to take refund of the statutory deposits along with accrued interest from the registry of this Court.

(Biraja Prasanna Satapathy)
Judge

Sneha