

IN THE HIGH COURT OF ORISSA AT CUTTACK
M.A.C.A No. 46 of 2018

The Manager (Legal-Claims) ***Appellant***
M/s. Reliance General Insurance
Company Ltd.

Mr. Subrat Satpathy, Advocate
-versus-

Laxmi Pradhan & Others ***Respondents***
Mr. Gopal Krishna Nayak,
Advocate

CORAM:
JUSTICE M.S. RAMAN

Order No.

ORDER

12.11.2022

08. 1. The claim for compensation emanated from an application under Section 166 of the Motor Vehicle Act, 1988 instituted by the Respondent Nos.1 to 5 being the widow, children and mother of the deceased, who had died in a road accident and an award has been passed by IIIrd M.A.C.T., Bhanjanagar *vide* Judgment dated 26th August, 2017. The present appeal has been filed at the behest of the Reliance General Insurance Company Limited under Section 173 of the said Act challenging the award of Rs.7.00 lakhs as against the original claim being made at Rs.10.00 lakhs.
2. On the last occasion *i.e.*, 13th August, 2022 when the matter was listed, Mr. Subrat Satpathy, learned Advocate accompanied with the Regional Manager (Legal), Reliance General Insurance Company Limited was present and filed a Memo indicating settlement of the claims between the parties. The matter stood adjourned for want of consent of learned counsel for the Respondents.

3. When the matter is taken up today, the counsel for respective parties present before this National Lok Adalat conceded that due consent has been obtained from both the parties and the matter has been settled between them. In the Memo it is agreed as follows:-

“We, the above named Appellant(s) and Respondent(s) have arrived at a compromise without correction and undue influence and have settled the dispute at Rs.8.00 lakhs (Eight Lakhs– consolidated) only, in full satisfaction of the claims.”

4. In view of the aforesaid joint-memo filed showing agreed terms by both the parties, there remains nothing for adjudication in the appeal and said memo is taken on record.

5. The Appellant (Reliance General Insurance Company Limited) is directed to deposit the agreed amount within two months from today. On such deposit being made, the same shall be disbursed in terms of the Judgment dated 26th August, 2017 passed by IIIrd M.A.C.T., Bhanjanagar.

6. At this stage, Mr. Subrat Satpathy, learned counsel for the Appellant prays for refund of statutory deposit along with accrued interest.

7. The prayer is allowed.

8. The Registry is directed to refund the statutory deposit along with accrued interest, if any, to the Reliance General Insurance Company Limited on production of receipt showing deposit of entire settled amount before the M.A.C.T.

9. With the aforesaid terms, the Appeal stands closed.

(M.S. Raman, J.)
4th National Lok Adalat