

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.94 of 2020

***The Divisional Manager,
M/s. National Insurance Co.Ltd.***

.... Appellant
Mr.B.N.Udgata, Advocate

-versus-

***Alekha Kumar Rout and Alekha Rout Respondents
and another***

Mr.B.N.Rath, Advocate for Respondent No.1

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

**ORDER
2.12.2022**

Order No.

8.

1. The matter is taken up through Hybrid mode.
2. Heard Mr.Udgata, learned counsel for the Appellant and Mr.Rath, learned counsel for Respondent No.1.
3. Present appeal by the insurer is against the judgment dated 4th September, 2019 of the Additional District Judge-Cum-4th M.A.C.T., Keonjhar in M.A.C. Case No.07/58 of 2016-15, wherein compensation to the tune of Rs.11,01,444/- has been granted along with interest @7% per annum with effect from the date of filing of the claim application, i.e. 3rd April, 2015 on account of injuries sustained by the claimant in the motor vehicular accident on 4th March, 2015.
4. Upon hearing both parties and considering the grounds of challenge advanced, a reduced compensation of Rs.8,50,000/-

along with interest @6% per annum is proposed to the parties in course of hearing. This is agreed by Mr. Rath, learned counsel for the claimants. Mr. Udgata, learned counsel for the Insurer leaves it to the discretion of the Court. As such, the amount is fixed to that extent.

5. The Insurer-Appellant is directed to deposit the reduced compensation of Rs.8,50,000/- (Eight lakhs fifty thousand) 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 such terms and proportion to be fixed by the Tribunal.

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

7. 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.

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

(B.P. Routray)
Judge