

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.356 of 2017

Reliance General Insurance Company Ltd. ***Appellant***

Mr. S. Satapathy, Advocate along with Mrs. B. Khadenga,
Advocate

-versus-

Priyanka Pande@Patjal and others ***Respondents***

Mr. P.K. Mishra, Advocate on behalf of Mr. A.K. Sahoo,
Advocate for Respondent Nos.1 to 4

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

21.07.2022

Order No.

07.

1. Heard Mr. S. Satapathy, learned counsel along with Mrs. B. Khadenga, learned counsel for the Appellant-Insurance Company as well as Mr. P.K. Mishra, learned counsel on behalf of Mr. A.K. Sahoo, learned counsel for the Respondent Nos.1 to 4-claimants.

2. Present appeal by the insurer is directed against judgment dated 22.12.2016 of learned 1st M.A.C.T., Sundargarh in M.A.C.T. Case No.59 of 2014 wherein compensation to the tune of Rs.9,97,000/- has been granted along with simple interest @6% per annum to the claimants from the date of filing of the claim application, i.e.23.8.2014 on account of death of the deceased in the motor vehicular accident dated 26.5.2014.

3. Upon hearing both the parties and considering the grounds of challenge advanced, a reduced compensation of Rs.9,60,000/- along with 6% interest is proposed to the parties in course of

hearing. Mr. P.K. Mishra, learned counsel for the claimants-Respondent Nos.1 to 4 agrees to the same and Mr. S. Satapathy, learned counsel for the Appellant-Insurance Company leaves it to the discretion of the Court. The compensation amount is accordingly fixed to that extent. The penal interest @9% is waived.

4. In the result, the Appellant – Insurance Company is directed to deposit the reduced compensation of Rs.9,60,000/- (rupees nine lakhs sixty thousand) before the Tribunal along with interest @6% per annum from the date of filing of the claim application, i.e.23.8.2014 within a period of two months from today; whereafter the same shall be disbursed in favour of the claimants on such terms and proportion contained in the direction of the Tribunal.

5. On deposit of the award amount before the learned Tribunal and filing of a receipt evidencing the deposit with a refund application before this Court, the statutory deposit made before this Court with accrued interest thereon shall be refunded to the Appellant-Insurance Company.

6. The MACA is disposed of with aforesaid directions.

7. An urgent certified copy of this order be granted on proper application.

(B.P. Routray)
Judge