

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.745 of 2017

MACA Nos.745 and 486 of 2017

The Branch Manager,

The New India Assurance Co. Ltd. (MACA No.745 of 2017)

Bridhi Ch. Joseph Ekka & Anr. (MACA No.486 of 2017)

.... *Appellants*

Mr. G.P. Dutta, Advocate (in MACA No.745 of 2017)

Mr. Pabitra Ku. Nayak, Advocate (in MACA No.486 of 2017)

-versus-

Bridhi Ch. Joseph Ekka & Anr. (MACA No.745 of 2017)

***M/s. Golden Chemical Transport
and Another***

(MACA No.486 of 2017)

.... *Respondents*

Mr. Pabitra Ku. Nayak, Advocate (in MACA No. 745 of 2017)

Mr. G.P. Dutta, Advocate (in MACA No.486 of 2017)

CORAM:

SHRI JUSTICE B. P. ROUTRAY

**ORDER
10.02.2022**

Order No.

- 23.
1. Heard Mr. G.P. Dutta, learned counsel for the insurer and Mr. P.K. Nayak, learned counsel for the claimants.
 2. The insurer as well as claimants have preferred the above two appeals respectively challenging the same award. Both the appeals are heard together and disposed of by this common order.

3. The learned 3rd MACT, Rourkela in the impugned judgment dated 28th March, 2017 has directed for payment of compensation to the tune of Rs.18,90,000/- along with interest @ 6% per annum from the date of filing of the claim application, i.e. 19th August, 2015 on account of death of the deceased in the motor vehicular accident dated 17th May, 2015.

4. In course of hearing it is agreed by the parties to reduce the compensation to the tune of Rs.17,75,000/- along with interest @ 6% per annum from 19th August, 2015.

5. Accordingly both the appeals are disposed of and the Appellant in MACA No.745 of 2017 is directed to deposit the aforesaid amount with interest before the learned Tribunal within two months from today, where-after the same shall be disbursed in favour of the claimants on the same terms and proportion as directed by the learned Tribunal in the impugned judgment.

6. The statutory deposit made by the appellant of MACA No.745 of 2017 before this court along with accrued interest be refunded to the Appellant - insurer on proper application and on production of proof of deposit of the awarded amount before the tribunal.

7. With aforesaid directions both the appeals are disposed of.

8. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge