

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.287 of 2020

***Manager Claims, M/s. Universal
Sompo General Insurance Co. Ltd. Appellant***

Mr. Adam Ali Khan, Advocate

-versus-

Janaki Majhi @ Kisan and Others Respondents

Mr. B.N. Rath, counsel for Respondents 1&2

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

**ORDER
17.3.2022**

Order No.

I.A. No.835 of 2020

03. 1. In view of the office note, the I.A. is disposed of.

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04. 2. Heard Mr. A.A. Khan, learned counsel for the insurer – Appellant and Mr. B.N. Rath, learned counsel for claimant – Respondents.

3. Present appeal by the insurer is against the impugned judgment dated 13th January, 2020 of the learned 1st MACT, Angul passed in MAC Case No.167 of 2018 wherein compensation to the tune of Rs.54,28,468/- along with interest @ 7% per annum from the date of filing of the claim application has been granted on account of death of the deceased in the motor vehicular accident dated 9th October, 2018.

4. Having heard both parties and considering the grounds advanced, a reduced compensation of Rs.50,00,000/- consolidated is proposed to the parties. This is agreed by Mr. Rath, learned counsel for the claimant – Respondents and Mr. Khan leaves it to the discretion of the Court. As such the amount is fixed to the said extent.

5. The appeal is disposed of with a direction to the Appellant – insurer to deposit consolidated compensation amount of Rs.50,00,000/- (Rupees fifty lakh) before the tribunal within a period of two months from today which shall be disbursed in favour of the claimant – Respondents on such terms and proportion to be decided by the learned Tribunal.

6. The statutory deposit made by the appellant 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. The appeal is disposed of.

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

(B.P. Routray)
Judge