

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.189 of 2022

Oriental Insurance Co.Ltd.

.... ***Appellant***
Mr.S.Roy, Advocate

-versus-

Jayanti Devi & others

.... ***Respondents***
Mr.P.K.Nayak, Advocate for Respondent Nos.1 to 3

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
1.12.2022

Order No.

4.

1. The matter is taken up through Hybrid mode.
2. Heard Mr.Roy, learned counsel for the Appellant and Mr.Nayak, learned counsel for Respondent Nos.1 to 3.
3. Present appeal by the claimant-Appellant is against the judgment dated 17th January, 2022 of the Member, Second Motor Accident Claims Tribunal, (Northern Division), Sambalpur, in MAC Case No.03 of 2015(Sambalpur), wherein compensation to the tune of Rs.15,29,800/- has been granted along with interest @6% per annum with effect from the date of filing of the claim application on account of death of the deceased in the motor vehicular accident on 11th July, 2014.
4. Upon hearing both parties and considering all such grounds of challenge advanced, a reduced compensation of Rs.14,00,000/- along with interest @6% per annum is proposed

to the parties in course of hearing. This is agreed by Mr.Nayak, learned counsel for the claimants-Respondents No.1 to 3. Mr.Roy, 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.14,00,000/-(Fourteen lakhs) 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