

IN THE HIGH COURT OF ORISSA AT CUTTACK
MACA No.335 of 2020

***The Divisional Manager, M/s. The New
India Assurance Company Ltd.***

....

Appellant

Mr. N.K. Mohanty, Advocate

-versus-

***Puja @ Pragyan Paramita Pradhan
and Another***

....

Respondents

Mr. P.C. Pattnaik, counsel for Respondent No.1

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
11.5.2022

Order No.

05. 1. Heard Mr. N.K. Mohanty, learned counsel for the insurer – Appellant and Mr. P.C. Pattnaik, learned counsel for claimant – Respondent No.1.
2. Present appeal by the insurer has been filed challenging the judgment dated 22nd October, 2019 of learned 5th MACT, Puri passed in MAC No.100/366 of 2015/2012 wherein compensation to the tune of Rs.5,35,000/- along with interest @ 7% per annum from the date of filing of the claim application, i.e. 1st September, 2012 has been granted on account of injuries sustained by the claimant in the motor vehicular accident dated 5th February, 2012.
3. Upon hearing both parties and considering the grounds of challenge advanced, a reduced compensation of Rs.4,90,000/- along with interest @ 6% per annum is proposed to the parties in course of

hearing. This is agreed by Mr. Pattnaik, learned counsel for the claimant-Respondent and Mr. Mohanty, learned counsel for the insurer leaves it to the discretion of the Court. As such, the amount is fixed to the above extent.

4. In the result the appeal is disposed of with a direction to the insurer - Appellant to deposit the reduced compensation of Rs.4,90,000/- (four lakh ninety thousand) before the tribunal along with interest @ 6% per annum from the date of filing of the claim application, i.e. 1st September, 2012 within a period of two months from today; where-after the same shall be disbursed in favour of the claimant – Respondent No.1 on such terms and proportion to be decided by learned Tribunal.

5. 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.

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

(B.P. Routray)
Judge