

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.364 of 2019

***The Divisional Manager, Oriental
Insurance Company Ltd.***

.... ***Appellant***

Mr. N.B. Das, Advocate

-versus-

Minati Singh and Others

.... ***Respondents***

Mr. Srinivas Mohanty, counsel for Respondents 1-5

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

11.8.2022

Order No.

- 07.
1. The matter is taken up through hybrid mode.
 2. Heard Mr. N.B. Das, learned counsel for the Appellant and Mr. S. Mohanty, learned counsel for claimant – Respondents.
 3. Present appeal by the Appellant – Insurer is against the impugned judgment dated 30th March, 2019 of the learned 4th MACT, Keonjhar passed in MAC Case No.59/62 of 2018-17 wherein compensation to the tune of Rs.12,60,000/- along with interest @ 7% per annum from the date of filing of the claim application, i.e. 29th March, 2017 has been granted on account of death of deceased Markanda Singh in the motor vehicular accident dated 28th January, 2017.
 4. Having heard both parties and considering the grounds of challenge advanced, a reduced compensation of Rs.11,60,000/- along

with interest @ 6% per annum is proposed to the parties in course of hearing. This is agreed by Mr. Mohanty, learned counsel for the claimant - Respondents and Mr. Das, learned counsel for the insurer leaves it to the discretion of the Court. As such the amount is fixed to the said extent.

5. In the result, the appeal is disposed of with a direction to the insurer – Appellant to deposit a reduced compensation of Rs.11,60,000/- (eleven lakh sixty thousand) before the tribunal along with interest @ 6% per annum from the date of filing of the claim application, i.e. 29th March, 2017 within a period of two months from today; where-after the same 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 insurer - 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. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge