

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.414 of 2019

Anita Nayak & Anr. *Appellant*
Mr. Pabitra Kumar Nayak,
Adv.

-versus-

Nrusingha Charan Sahani and *Respondents*
Anr.

Mr. P.K. Mahali, Adv.
(for Respondent No.2)

CORAM:
JUSTICE S.K. PANIGRAHI

ORDER
12.03.2022

Order No.

- 08.
1. This matter is taken up through hybrid mode in the 1st National Lok Adalat, 2022.
 2. Learned counsel for the Appellants/Claimants and learned counsel for the Respondent No.2/ Insurance Company are present.
 3. The Appellants/ Claimants have filed this MACA challenging the judgment and award dated 20.04.2019 passed by the learned 2nd Additional District Judge-cum-3rd M.A.C.T., Cuttack in M.A.C. Case No.170 of 2016 directing the Respondent No.2/ Insurance Company to pay compensation amount of Rs.22,18,245/- (Rupees twenty-two lakh eighteen thousand two hundred forty-five only) to the Appellants/Claimants with simple interest @ 7 per cent per annum from the date of filing of the claim petition i.e. from

16.03.2016 within two months of passing of the order failing which the claimants would be at liberty to realize the awarded amount along with interest @ 12 per cent per annum.

4. At present, on the basis of the compromise made between the parties, the claim is settled by modifying the amount awarded with a consolidated amount of Rs.27,50,000 (Rupees twenty-seven lakh and fifty thousand only).

5. The Respondent No.2/Insurance Company is directed to deposit the aforesaid consolidated award amount before the learned 2nd Additional District Judge-cum-3rd M.A.C.T., Cuttack in M.A.C. Case No.170 of 2016 within a period of eight weeks, whereafter the same shall be disbursed to the Appellants/Claimants in terms of its order. Further, the penal interest as fixed by the learned 2nd Additional District Judge-cum-3rd M.A.C.T., Cuttack is waived. The impugned award is modified to the above extent.

6. The MACA is accordingly disposed of.

7. Urgent certified copy of this order be granted on proper application.

(S.K. Panigrahi, J.)
1st National Lok Adalat, 2022

BJ