

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.264 of 2022

M/s.Oriental Insurance Co. Ltd.

.... Appellant
Mr.A.A.Khan, Advocate

-versus-

Manoranjan Parida @ Kunu Parida

.... Respondent
Mr.B.N.Samantray, Advocate for Respondent No.1

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
15.11.2022

Order No.

5.

1. The matter is taken up through Hybrid mode.
2. Heard Mr.Khan, learned counsel for the Appellant and Mr.Samantray, learned counsel for Respondent No.1.
3. Present appeal by the Appellant is against the judgment dated 7th December, 2021 of the Second Motor Accident Claims Tribunal, Cuttack, in Misc.Case Case No.15 of 2012, wherein compensation to the tune of Rs.4,11,964/- has been granted along with interest @7% per annum with effect from the date of filing of the claim application on account of injuries sustained by the claimant in the motor vehicular accident on 10th December, 2021.
4. Upon hearing both parties and considering the grounds of challenge advanced, a reduced compensation of Rs.3,70,000/- with 6% interest is proposed to the parties in course of hearing. This is agreed by Mr. Samantray, learned counsel for the

claimant. Mr. Khan, 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.3,70,000/- (Three lakhs seventy thousand) along with interest @6% per annum before the Tribunal within a period of two months from today; where-after the same shall be disbursed in favour of the claimant on such terms and proportion to be fixed by the Tribunal. It goes without saying that the right of recovery granted in favour of the Insurer-Appellant by the Tribunal is left undisturbed.

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