

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA Nos.196 & 200 of 2021

MACA No.196 of 2021

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

Mr.P.K.Panda, Advocate

-versus-

Anjan Das and others ***Respondents***

Mr.S.B.Das, Advocate for Respondents 1 to 3

AND

MACA No.200 of 2021

Anjan Das and others ***Appellants***
Mr.S.B.Das, Advocate

-versus-

Sukanta Charan Pradhan and another ***Respondents***

Mr.P.K.Panda, Advocate for Respondent No.2

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
28.3.2022

Order No.

6.

1. Heard Mr.Panda, learned counsel for the Insurer and Mr.Das, learned counsel for the claimants.

2. Both the appeals are directed against the judgment dated 17th March, 2021 passed by the learned 1st Addl. District Judge-cum-1st M.A.C.T., Cuttack in MAC Case No.756 of 2016, wherein compensation to the tune of Rs.24,25,482/- has been granted along with interest @6% per annum from the date of filing of the claim application on account of death of the deceased in the motor vehicular accident dated 6th January, 2016.

3. Having heard both parties and considering the grounds advanced, a reduced compensation of Rs.23,25,000/- along with interest @6% per annum is proposed to the parties in course of hearing. This is agreed by Mr.Das, learned counsel for the claimants. Mr.Panda, learned counsel for the Insurer leaves it to the discretion of the Court. As such, the amount is fixed to that extent.

4. The Insurer is directed to deposit the reduced compensation of Rs.23,25,000/-(Twenty three lakhs twenty five thousand) 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 same terms and proportion as directed by the Tribunal. However, the penal interest @12% is waived.

5. With aforesaid modification in the compensation amount, the appeal is disposed of.

6. The statutory deposit made by the Insurer 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.

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

(B.P. Routray)
Judge