

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.894 of 2016

Reliance G.I.C. Ltd.

Appellant
....
Mr.G.P.Dutta, Advocate

-versus-

Bahadul Jaypuria and others

Respondents
....
Mr.D.K.Mohapatra, Advocate
for Respondent Nos.1, 2 and 4

**CORAM:
JUSTICE B. P. ROUTRAY**

**ORDER
28.9.2022**

Order No.

15.

1. The matter is taken up through Hybrid mode.
2. Heard Mr.Dutta, learned counsel for the Appellant and Mr.Mohapatra, learned counsel for the Insurer-Respondent Nos.1, 2 & 4.
3. Present appeal by the Insurer-Appellant is against judgment dated 30th March, 2016 of the First Motor Accident Claims Tribunal, Sundargarh, in M.A.C.T. Case No.05 of 2010, wherein compensation to the tune of Rs.5,03,000/- has been granted along with interest @7% per annum with effect from the date of filing of the claim application on account of death of the deceased in the motor vehicular accident on 7th October, 2009.
4. In terms of the earlier order of this Court dated 3rd August, 2022, Mr.Dutta concedes that the amount directed in the

other claim application i.e., MACT Case No.29 of 2013 before learned 1st M.A.C.T., Sundargarh, the amount of compensation has been satisfied without questioning liability on the part of the Insurer.

As such, all such grounds of challenge concerning liability of the Appellant-Insurer are not entertained.

5. Considering the other grounds of challenge regarding quantum of compensation, a reduced compensation amount of Rs.4,80,000/- along with interest @6% per annum is proposed to the parties in course of hearing. This is agreed by Mr.Mohapatra, learned counsel for the claimants-Respondent Nos.1, 2 & 4. Mr.Dutta, learned counsel for the Insurer leaves it to the discretion of the Court. As such, the amount is fixed to that extent.

6. The Insurer-Appellant is directed to deposit the reduced compensation of Rs.4,80,000/- (Four lakhs eighty thousand) before the Tribunal along with interest @6% per annum from the date of filing of the claim application within a period of three months from today; where-after the same shall be disbursed in favour of the claimants on such terms and proportion to be fixed by the Tribunal.

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

8. 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.

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

(B.P. Routray)
Judge

C.R.Biswal

