

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.292 of 2022

The Divisional Manager, Shriram *Appellant*
General Insurance Company Limited

Mr. G.P. Dutta, Advocate

-versus-

Smita Maharana alias Badhai and *Respondents*
others

Mr. P.K. Behera, Advocate for Respondent Nos.1 to 3

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
28.09.2022

Order No.

05.

1. Heard Mr. G.P. Dutta, learned counsel for the Appellant-Insurance Company as well as Mr. P.K. Behera, learned counsel for the Respondent Nos.1 to 3-claimants.

2. Present appeal by the insurer is directed against the judgment dated 26.04.2022 of learned 1st M.A.C.T., Kalahandi, Bhawanipatna in M.A.C. No.44 of 2017 wherein compensation to the tune of Rs.25,81,936/- has been granted along with simple interest @6% per annum to the claimants from the date of filing of the claim application, i.e.19.05.2017 on account of death of the deceased in the motor vehicular accident dated 18.01.2017.

3. In course of hearing as agreed by both the parties, the amount of compensation is modified to Rs.25,93,685/- consolidated. The compensation amount is accordingly fixed to that extent.

4. Accordingly, the Insurance Company is directed to deposit the consolidated sum of Rs.25,93,685/- (rupees twenty-five lakhs ninety-three thousand six hundred eighty-five) before the Tribunal within a period of two months from today; where-after the same shall be disbursed to the claimants on such terms and proportion to be decided by the learned Tribunal.

5. On deposit of the award amount before the learned Tribunal and filing of a receipt evidencing the deposit with a refund application before this Court, the statutory deposit made before this Court with accrued interest thereon shall be refunded to the Appellant-Insurance Company.

6. The MACA is disposed of with aforesaid directions.

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

(*B.P. Routray*)
Judge