

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.485 of 2019

MACA Nos.485 & 999 of 2019

Mamata Senapati (In MACA No.485/2019)

***The Divisional Manager,
M/s.Oriental Insurance Co. Ltd.*** (In MACA No.999/2019)

.... ***Appellants***

Mr. D.C. Dey, Advocate (in MACA No.485/2019)
Mr. A.A. Khan, Advocate (in MACA No.999/2019)

-versus-

Mahendra Kumar Das and Another (In MACA No.485/2019)

Mamata Senapati and Another (In MACA No.999/2019)

.... ***Respondents***

Mr. A.A. Khan, counsel for Respondent No.2
(in MACA No.485/2019)

Mr. D.C. Dey, counsel for Respondent No.1
(in MACA No.999/2019)

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

**ORDER
20.9.2022**

Order No.

12.
 1. The matters are taken up through hybrid mode.
 2. Heard Mr. D.C. Dey, learned counsel for the claimant and Mr. A.A. Khan, learned counsel for the insurer.
 3. Both the appeals being arise out of same common judgment, are heard together and disposed of by this common order.
 4. Both the appeals are against the common impugned judgment dated 29th June, 2019 of learned 4th MACT, Cuttack passed in MAC Case Nos.891 of 2013/43 of 2018 & 177 of 2014/44 of 2018. Present

appeals are arising out MAC No.891 of 2013/43 of 2018 wherein compensation to the tune of Rs.2,00,000/- along with interest @ 6% per annum from the date of filing of the claim application has been granted on account of injuries sustained by the injured – claimant in the motor vehicular accident dated 18th September, 2013.

5. Upon hearing both parties and considering the nature of injuries as well as period of treatment of the injured and his profession, the amount of compensation granted by the tribunal is confirmed.

6. In the result both the appeals are dismissed with a direction to the insurance company, i.e. Oriental Insurance Co. Ltd. to deposit before the tribunal the total compensation amount along with interest as directed by the tribunal within a period of three months from today; where-after the same shall be disbursed in favour of the injured – claimant in terms of the direction contained in the impugned judgment.

7. It goes without saying that the penal interest of 12% is waived.

8. The statutory deposit made by the insurer in MACA No.999 of 2019 before this court along with accrued interest be refunded on proper application and on production of proof of deposit of the awarded amount before the tribunal.

9. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge