

IN THE HIGH COURT OF ORISSA AT CUTTACK
MACA No.269 of 2021

***Cholamandalam MS General
Insurance Company Limited***

.... ***Appellant***

Mr. A.A. Khan, Advocate

-versus-

Amruti Sahoo and Others

.... ***Respondents***

Mr. P.K. Nayak, Advocate for Respondents 1-4

CORAM:
SHRI JUSTICE B. P. ROUTRAY

ORDER
28.7.2022

Order No.

02. 1. The matter is taken up through hybrid mode.
2. Heard Mr. A.A. Khan, learned counsel for the insurer – Appellant and Mr. P.K. Nayak, learned counsel for claimant – Respondents.
3. Present appeal by the insurer is directed against impugned judgment dated 17th March, 2021 of learned 3rd MACT, Talcher passed in MAC No.106 of 2018 wherein compensation to the tune of Rs.12,79,600/- along with interest @ 6% per annum from the date of filing of the claim application, i.e. 16th August, 2018 has been granted on account of death of the deceased in the motor vehicular accident dated 24th June, 2018.
4. Upon hearing both parties and considering all the grounds of challenge, a reduced compensation of Rs.12,00,000/- along with interest @ 6% per annum is proposed to the parties. This is agreed by Mr. Nayak, learned counsel for the claimant – Respondents and Mr.

Khan, learned counsel for the insurer leaves it to the discretion of the Court. As such the amount is fixed to the said extent.

5. In the result, the appeal is disposed of with a direction to the appellant – insurer to deposit the reduced compensation of Rs.12,00,000/- (twelve lakhs) before the tribunal along with interest @ 6% per annum from the date of filing of the claim application, i.e. 16th August, 2018, within two months from today, where-after the same shall be disbursed in favour of the claimants.

6. It is submitted by both parties that 50% of the total compensation amount along with interest has already been deposited before the tribunal in terms of direction of this court dated 24th August, 2021 and the same has been disbursed in favour of the claimants.

7. Keeping in view such submissions, the rest amount entitled to the claimants shall be disbursed in their favour on such terms and proportion to be decided by the tribunal.

8. The statutory deposit made by the appellant before this court along with accrued interest be refunded to the Appellant - insurer on proper application and on production of proof of deposit before the tribunal.

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

(B.P. Routray)
Judge