

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.616 of 2020

***Divisional Manager, M/s. National
Insurance Co. Ltd.***

Appellant

Mr. P.K. Mahali, Adv.

-versus-

Sk. Satar and Ors.

Respondents

*Mr. Gajendranath Rout, Adv.
(For Respondent No.1)*

**CORAM:
JUSTICE S.K. PANIGRAHI**

**ORDER
12.03.2022**

Order No.

- 03.
1. This matter is taken up through hybrid mode in the 1st National Lok Adalat, 2022.
 2. Learned counsel for the Appellant/Insurance Company and learned counsel for the Respondent No.1/ Claimant are present.
 3. The Appellant/ Insurance Company has filed this MACA challenging the judgment and award dated 18.09.2019 passed by the learned Member, 7th M.A.C.T., Bhubaneswar in M.A.C. Case No.217 of 2015 directing the Appellant/ Insurance Company to pay a sum of Rs.1,07,140/- (Rupees one lakh seven thousand one hundred forty only) to the Respondent No.1/Claimant with simple interest @ 7 per cent per annum from the date of filing of the claim petition i.e. from 16.05.2015 till the date of payment.
 4. At present, on the basis of the compromise made between the parties, the claim is settled by modifying/ reducing the amount

awarded from Rs.1,07,140/- (Rupees one lakh seven thousand one hundred forty only) to Rs.90,000/- (Rupees ninety thousand only) with interest @ 6 per cent per annum from the date of application. The Insurance Company undertakes to re-calculate and deposit the modified award amount before the learned Member, 7th M.A.C.T., Bhubaneswar in M.A.C. Case No.217 of 2015 within a period of eight weeks hence along with the interest @ 6 per cent per annum.

5. On deposit of the modified award amount along with the interest as stated above before the learned Member, 7th M.A.C.T., Bhubaneswar in M.A.C. Case No.217 of 2015, the same shall be disbursed to the Respondent No.1/Claimant in terms of its order proportionately. Further, on filing of a receipt evidencing the deposit before this Court with a refund application, the statutory deposit, if any, made before this Court with accrued interest thereon shall be refunded to the Appellant/Insurance Company.

6. The MACA is, accordingly, disposed of.

7. In view of disposal of the present MACA filed by the Insurance Company, the appeal i.e. MACA No.958 of 2019 stated to have been filed by the claimant, the present Respondent No.1, is dropped.

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

(S.K. Panigrahi, J.)
1st National Lok Adalat, 2022