

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No. 965 of 2018

Puspalata Behera and others

....

Appellants

Mr.P.K.Mishra, Advocate

-versus-

Maheswar Palei and another

....

Respondents

Mr.S.Roy, Advocate for Respondent No.2

CORAM:

JUSTICE B. P. ROUTRAY

ORDER

15.12.2022

Order No.

04.

1. The matter is taken up through Hybrid mode.
2. Heard Mr.Mishra, learned counsel for the claimants-Appellants and Mr.Roy, learned counsel for Insurer-Respondent No.2.
3. Present appeal by the Appellants is against the judgment dated 31st July, 2018 of the IIIRD M.A.C.T., Balasore, in M.A.C.Case No.161 of 2017, wherein compensation to the tune of Rs.10,50,000/- has been granted along with interest @7.5% 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 10th April, 2017.
4. Upon hearing both parties and considering all such grounds of challenge advanced including that no future prospectus has been added in the income, a further consolidated

sum of Rs.4,25,000/- is proposed to the parties in course of hearing. This is agreed by Mr.Mishra, learned counsel for the claimants. Mr.Roy, learned counsel for the Insurer leaves it to the discretion of the Court. As such, the amount is fixed to that extent.

5. The Insurer is directed to deposit a further consolidated sum of Rs.4,25,000/-(Four lakhs twenty five thousand) before the Tribunal from the date of filing of the claim application within a period of two months from today; where-after the same shall be disbursed in favour of the claimants on such terms and proportion to be decided by the Tribunal.

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

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

(B.P. Routray)
Judge