

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.1030 of 2018

National Insurance Company Ltd.. Appellant
Mr. P.K. Mahali, Adv.

-versus-

Namita Sahu and Ors. Respondents
Mr. Bishnubrata Singh. Das, Adv.
(For Respondent Nos.1 to 3)

CORAM:
JUSTICE S.K. PANIGRAHI

ORDER
12.03.2022

Order No.

07. 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 Nos.1 to 3/ Claimants are present.
3. The Appellant/ Insurance Company has filed this MACA challenging the judgment and award dated 09.07.2018 passed by the learned Member, 7th M.A.C.T., Bhubaneswar in M.A.C. Case No.483 of 2015 directing the Appellant/ Insurance Company to pay a sum of Rs.34,02,486/- (Rupees thirty-four lakh two thousand four hundred eighty-six only) to the Respondent Nos.1 to 3/Claimants with interest @ 7 per cent per annum from the date of filing of the claim petition i.e. from 06.11.2015 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.34,02,486/- (Rupees thirty-four lakh two thousand four hundred eighty-six only) to Rs.31,00,000/- (Rupees thirty-one lakh 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 7th M.A.C.T., Bhubaneswar in M.A.C. Case No.483 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 7th M.A.C.T., Bhubaneswar in M.A.C. Case No.483 of 2015, the same shall be disbursed to the Respondent Nos.1 to 3 /claimants 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 made before this Court with accrued interest thereon shall be refunded to the Appellant/Insurance Company.

6. The MACA is, accordingly, disposed of.

7. The MACA having been disposed of in the 1st National Lok Adalat, 2022, no Court fee is payable.

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

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