

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.655 of 2019

***Divisional Manager, The Oriental
Insurance Company Ltd.***

.... Appellant

Mr. Mohan Chandra Nayak, Advocate

-versus-

Buli Patro and Others

.... Respondents

Mr. Dipti Ranjan Bhokta, counsel for Respondents 1-5

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

**ORDER
11.3.2022**

Order No.

- 04.
1. Heard Mr. M.C. Nayak, learned counsel for the insurer – Appellant and Mr. D.R. Bhokta, learned counsel for claimant – Respondents.
 2. Present appeal by the insurer is against the impugned judgment dated 25th June, 2019 of the learned Member, 2nd MACT (Southern Division), Berhampur, Ganjam passed in MAC Case No.106 of 2018 (179/2017-GDC) wherein compensation to the tune of Rs.6,25,000/- along with interest @ 7% per annum from the date of filing of the claim application, i.e. 19th August, 2017 has been granted on account of death of the deceased in the motor vehicular accident dated 20th July, 2017.
 3. It is submitted on behalf of the Appellant that the amount of Rs.1,60,000/- granted to the claimant Nos.2 to 5 towards parental

consortium is on higher side and further, the cost of treatment of the deceased has not been proved with documentary evidence.

4. Having heard both parties, a reduced compensation of Rs.6,00,000/- with 6% interest is proposed to the parties. This is agreed by Mr. Bhokta, learned counsel for the claimant – Respondents and Mr. Nayak leaves it to the discretion of the Court. As such the amount is fixed to the said extent.

5. Thus the appeal is disposed of with a direction to the Appellant – insurer to deposit total compensation amount of Rs.6,00,000/- (Rupees six lakh) before the tribunal along with interest @ 6% per annum from the date of filing of the claim application, i.e. 19th August, 2017 within a period of two months from today; where-after the same shall be disbursed in favour of the claimant – Respondent Nos.1 to 5 on such terms and proportion as per the direction of learned Tribunal contained in the impugned judgment.

6. 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 of the awarded amount before the tribunal.

7. The appeal is disposed of.

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

(B.P. Routray)
Judge