

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.477 of 2022

Manager (Legal), Appellant
M/s. New India Assurance
Col. Ltd.

Mr. G.C. Samantaray, Advocate

-versus-

1. Gitanjali Shial

2. Omm Shree

Priyadarshini

3. Ganesh Prasad Behera

4. Subasini Behera

5. Suprava Behera

6. Sakina Bibi

..... Respondents

*Mr. R.K. Dash, Advocate for
respondents nos.1 to 5*

CORAM:
JUSTICE S.K. SAHOO

ORDER
12.11.2022

Order No.

01. This matter is placed in the National Lok Adalat and is taken up through Hybrid arrangement (video conferencing/physical mode).

Learned counsel for the appellant, Officers of the Insurance Company and the learned counsel for the respondents nos.1 to 5 are present.

As agreed by the parties, the awarded amount of Rs.39,68,368/- (rupees thirty nine lakhs sixty eight thousand three hundred sixty eight) with simple interest at

the rate of 7% per annum from the date of filing of the claim application i.e. 16.11.2017 is modified and reduced to Rs.38,00,000/- (Rupees thirty eight lakhs) which shall carry simple interest at the rate of 6% per annum from the date of claim application before the Tribunal i.e. 16.11.2017.

It is further directed that the appellant-Insurance Company shall deposit the modified amount along with interest as directed above within a period of two months from today. On depositing the same, the learned Tribunal shall reapportion the amount amongst the claimants keeping in view the ratio fixed in the impugned judgment and accordingly, resettle the amount in favour of the claimants. However, the default interest @9% is waived out.

On production of proof regarding deposit of the modified amount along with interest before the Tribunal, the statutory deposit along with accrued interest be refunded to the Insurance Company on proper application.

As the settlement is arrived at before the Lok Adalat, no court fee shall be levied from the claimants.

The MACA is accordingly disposed of.

Free copies of this order be handed over to the learned counsel for both sides.

(S.K. Sahoo, J.)
(National Lok Adalat)