

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.718 of 2020

National Insurance Company Ltd. ***Appellant***

Mr. P.K. Tripathy, Advocate

-versus-

Brundaban Mohanty and Another ***Respondents***

Mr. Debasish Patnaik, counsel for Respondent No.1

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

18.4.2022

Order No.

06. 1. Heard Mr. P.K. Tripathy, learned counsel for the insurer – Appellant and Mr. D. Patnaik, learned counsel for claimant – Respondent No.1.
2. Present appeal by the insurer has been filed challenging the judgment dated 31st October, 2019 of learned 3rd MACT, Jagatsinghpur passed in MAC No.379 of 2015 wherein compensation to the tune of Rs.5,89,160/- along with interest @ 7% per annum from the date of filing of the claim application, i.e. 3rd October, 2015 has been granted on account of injuries sustained by the claimant in the motor vehicular accident dated 4th May, 2015.
3. Having heard both parties and considering the grounds advanced with regard to the quantum of compensation, a reduced compensation of Rs.3,70,000/- along with interest @ 6% per annum is

proposed to the parties in course of hearing. This is agreed by Mr. Patnaik, learned counsel for the claimant-Respondent and Mr. Tripathy, learned counsel for the insurer leaves it to the discretion of the Court. As such, the amount is fixed to the above extent.

4. In the result the appeal is disposed of with a direction to the insurer - Appellant to deposit the reduced compensation amount of Rs.3,70,000/- (three lakh seventy thousand) before the tribunal along with interest @ 6% per annum from the date of filing of the claim application, i.e. 3rd October, 2015 within a period of two months from today; where-after the same shall be disbursed in favour of the claimant – Respondent No.1 on such terms and proportion to be fixed by the learned Tribunal.

5. 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.

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

(B.P. Routray)
Judge