

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.722 of 2020

***New India Assurance Co. Ltd.,
T.P.Cell,***

.... Appellant

Mr.Subrat Satpathy, Advocate

-versus-

Bhagabat Murmu and others

.... Respondents

Mr.J.Mohanty, Advocate for
Respondent Nos. 1 and 2

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

**ORDER
09.5.2022**

Order No.

6.

1. Heard Mr.Satpathy, learned counsel for the Appellant-Insurer and Mr.Mohanty, learned counsel for claimants-Respondent Nos.1 and 2.

2. Present appeal by the Insurer is against the common judgment dated 7th December, 2019 of the learned 2nd Motor Accident Claims Tribunal in respect of Misc.Case No.971 of 2000, wherein compensation to the tune of Rs.3,36,800/- has been granted along with interest @ 7% 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 20th December, 1999.

3. Having heard both parties and considering the grounds of challenge advanced, a reduced compensation of Rs.2,60,000/- along with interest @6% per annum is proposed to the parties in course of hearing. This is agreed by Mr.Mohanty, learned counsel

for the claimants-Respondent Nos.1 and 2. Mr.Satpathy, learned counsel for the Insurer leaves it to the discretion of the Court. As such, the amount is fixed to that extent.

4. The Insurer-Appellant is directed to deposit the reduced compensation of Rs.2,60,000/-(Two lakhs sixty thousand) before the Tribunal along with interest @6% per annum 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 fixed by the Tribunal.

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

6. The statutory deposit made by the Appellant with accrued interest thereon be refunded to him on proper application and on production of proof of deposit of the award amount before the learned Tribunal.

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

(B.P. Routray)
Judge

