

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**MACA No.347 of 2021**

***The Manager (Legal),  
M/s.HDFC ERGO G.I.Co.Ltd.***

***..... Appellants***  
Mr.A.A.Khan, Advocate

***-versus-***

***Ajanti Sharma and others*** ***..... Respondents***  
Mr.Kalpataru Panigrahi, Advocate for Respondents 1 to 2

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

**ORDER  
09.5.2022**

**Order No.**

5.

1. Heard Mr.Khan along with Mr.Sahoo, learned counsel for the Appellant-Insurer and Mr.Panigrahi, learned counsel for claimants-Respondent Nos.1 to 4.

2. Present appeal by the Insurer is against the common judgment dated 30<sup>th</sup> April, 2021 of the learned 2<sup>nd</sup> Addl.District Judge-cum-3<sup>rd</sup> MACT, Cuttack in respect of Misc.Case No.1052 of 2016, wherein compensation to the tune of Rs.17,44,696/- 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 7<sup>th</sup> August, 2016.

3. Having heard both parties and considering the grounds of challenge advanced, a reduced compensation of Rs.13,50,000/- along with interest @6% per annum is proposed to the parties in course of hearing. This is agreed by Mr.Panigrahi, learned

counsel for the claimants-Respondent Nos.1 to 4. Mr.Khan, 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.13,50,000/- (Thirteen lakhs fifty 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**

