

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.369 of 2021

Saroj Sahani

....

Appellant

-versus-

State of Odisha & Another

....

Respondents

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
15.07.2022**

Order No

05.

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the Parties.
3. This appeal has been filed by the Appellant- Owner challenging the judgment dated 26.07.2021 passed in MAC No.136 of 2018 by the learned District Judge-cum-1st M.A.C.T., Jagatsingpur.
4. Vide the said judgment, learned Tribunal saddled the Appellant-Owner with liability of Rs.3,46,803/-.
5. It is submitted by the learned counsel for the Parties that in the meantime the matter has been settled out of Court and the Claimant-Respondent has agreed to receive a sum of Rs.2,10,000/- in full and final settlement of the said award.
6. Learned counsel for the Appellant also filed two numbers of Account Payee Cheque issued in the name of the Respondent for an amount of Rs.1,00,000/- and Rs.1,10,000/- in Court today along with a memo. The same be kept on record.

7. Mr. Mishra, learned counsel appearing for the Claimant-Respondent also submitted that on receipt of such amount of Rs.2,10,000/-, the Claimant-Respondent will not raise any further claim as against the appellant.

8. It is also submitted that prior to payment of Rs.2,10,000/-, the Appellant had also paid Rs.40,000/- to the Claimant. The receipt showing such payment and produced by the learned counsel for the Appellant be kept on record.

9. In view of compromise effected in between the Parties, this Appeal is disposed of on the basis of the said compromise. The statutory deposit made by the Appellant be refunded with accrued interest if any on proper identification by the Registry of this court.

10. Accordingly, the MACA stands disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat