

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.946 of 2019

Divisional Manager, M/s. National Insurance Co. Ltd.

Appellant

Mr. P.K. Mahali, Adv.

-versus-

Pitambar Sethi and Anr.

Respondents

Mr. B. Singh, Adv.
(For Respondent No.1)

CORAM:
JUSTICE S.K. PANIGRAHI

ORDER
12.03.2022

Order No.

- 06.
1. This matter is taken up through hybrid mode in the 1st National Lok Adalat, 2022.
 2. Learned counsel for the Appellant/Insurance Company and learned counsel for the Respondent No.1/ Claimant are present.
 3. The Appellant/ Insurance Company has filed this MACA challenging the judgment and award dated 08.07.2019 passed by the learned M.A.C.T.-I, Bhadrak in M.A.C. Case No.100 of 2015 directing the Appellant/ Insurance Company to pay a sum of Rs.14,02,000/- (Rupees fourteen lakh two thousand only) to the Respondent No.1/Claimant with accrued interest @ 7.5 per cent per annum from the date of filing of the claim petition within a period of thirty days of passing of the award.
 4. At present, on the basis of the compromise made between the parties, the claim is settled by modifying/ reducing the amount awarded from Rs.14,02,000/- (Rupees fourteen lakh two

thousand only) to Rs.11,00,000/- (Rupees eleven lakh only) with interest @ 6.5 per cent per annum from the date of application. The Insurance Company undertakes to re-calculate and deposit the modified award amount before the learned M.A.C.T.-I, Bhadrak in M.A.C. Case No.100 of 2015 within a period of eight weeks hence along with the interest @ 6.5 per cent per annum.

5. On deposit of the modified award amount along with the interest as stated above before the learned M.A.C.T.-I, Bhadrak in M.A.C. Case No.100 of 2015, the same shall be disbursed to the Respondent No.1/Claimant in terms of its order proportionately. Further, on filing of a receipt evidencing the deposit before this Court with a refund application, the statutory deposit, if any, made before this Court with accrued interest thereon shall be refunded to the Appellant/Insurance Company.

6. The MACA is, accordingly, disposed of.

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

(S.K. Panigrahi, J.)
1st National Lok Adalat, 2022

BJ