

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.385 of 2021

Divisional Manager, National Insurance Co. Ltd. ***Appellant***

Mr. P.K. Mahali, Adv.

-versus-

Alagulu Shukru Dora @ A. Khukru Dora and Anr. ***Respondents***

*Mr. Pradeep Ku. Mishra, Adv.
(For Respondent No.1)*

**CORAM:
JUSTICE S.K. PANIGRAHI**

**ORDER
12.03.2022**

Order No.

01. 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 03.03.2021 passed by the learned District Judge-cum- 1st M.A.C.T., Dhenkanal in M.A.C. Case No.81 of 2018 directing the Appellant/ Insurance Company to pay a sum of Rs.8,48,000/- (Rupees eight lakh forty-eight thousand only) to the Respondent No.1/Claimant with interest @ 7 per cent per annum from the date of filing of the claim petition within two months with effect from 06.04.2018.

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.8,48,000/- (Rupees eight lakh forty-eight thousand only) to Rs.5,50,000/- (Rupees five lakh fifty thousand only) with interest @ 6 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 District Judge-cum- 1st M.A.C.T., Dhenkanal in M.A.C. Case No.81 of 2018 within a period of eight weeks hence along with the interest @ 6 per cent per annum.

5. On deposit of the modified award amount along with the interest as stated above before the learned District Judge-cum- 1st M.A.C.T., Dhenkanal in M.A.C. Case No.81 of 2018, the same shall be disbursed to the Respondent No.1 /Claimant proportionately in terms of its order. 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