IN THE HIGH COURT OF ORISSA AT CUTTACK
MACA NO.620 of 2025
CNR No. ODHC010331022025

(In the matter of application under Section-173(1) of M.V. Act, 1988).

Legal Manager, M/S. Cholamandalam General Insurance Co. Ltd., Bhubaneswar … ***Appellant***

-versus-

Rehan Dash @ Baba Rehen Dash and another … ***Respondents***

For Appellant : ***Mr. G.P. Dutta, Adv***

For Respondents : ***Mr. D. Patnaik, Adv(R-1)***

CORAM: JUSTICE G. SATAPATHY
DATE OF HEARING AND JUDGMENT: 10.11.2026

G. Satapathy, J.

1. This is an appeal U/S.173(1) of the Motor Vehicles Act, 1988 (in short, "the Act") by the Insurance Company (in short, "the insurer") against the quantum of compensation granted to R1-injured by the impugned judgment dated 15.02.2025 passed by learned 3rd Motor Accident Claims Tribunal, Cuttack (in short, "the Tribunal") in MAC Case No.788 of 2019 directing the insurer to pay a sum of Rs.59,64,312/-

along with simple interest @ 7% per annum w.e.f 23.07.2019 till its actual realization to the claimant-cum-R1 with further default interest @ 12 % per annum in case the award is not satisfied within two months from the date of passing of the impugned judgment.

2. The facts being largely undisputed are not reiterated to avoid prolixity, but the insurance company and the claimant-R1 have agreed for compromise in the matter. Hence, notice against R2 stands dispensed with.

3. Heard, Mr. G.P. Dutta, learned counsel for the Appellant and Mr. Debasish Pattnaik, learned counsel for R1 in the matter and perused the record.

3.1. In the course of hearing, Mr. Dutta by producing a communication received from Company, which is taken on record submits that the matter has been settled at a consolidated sum of Rs. 60,00,000/-, to which Mr. Debasish Pattnaik does not dispute.

4. The aforesaid communication *inter-alia* discloses the following: -

From: Jyotiranjan Sen (jyotiranjansen @cholams. murugappa.com)

To: girija_dutta@yahoo.co.in

CC: alokkumarbhoi@cholams.murugappa.com; manasranjanpanigrahi@cholams.murugappa.com;manoranjanbehera@cholamsispl.com

Date: Sunday, 4 October, 2026 at 01:46pm, IST

Classification: Restricted

Dear Sir,
You are hereby authorized to endorse the compromise petition on behalf of the company in the below mentioned claims. Kindly do the needful.

Claim No.	***Case No.***	***Compromised Amount***	***Party Name***
3362497912	*MACA 620/2025*	*Rs. 60,00,000/-*	*Chola MS V/s. Rehan Dash @ Baba Rehen Dash*

5. In view of the aforesaid facts and on consideration of the materials and documents placed on record together with the communication as produced by the Appellant and taking guidance from the law laid down by Apex court in ***Taslim Parvin & Another vrs. (Smt.) Usha Devi & Another; 2018(2) TAC 22 (SC)***, since the claim has been settled between the claimant and the insurance company at a consolidated

sum of Rs. 60,00,000/- which is accepted by the claimant by filing a memo through his counsel Mr. Debasish Pattnaik, this Court considers that interest of justice would best serve, if the claim amount is settled at a consolidated sum of Rs. 60,00,000/-.

6. In the result, the appeal is accordingly disposed of on compromise, but the insurance company is hereby directed to pay the consolidated sum of Rs. 60,00,000/- as compensation to the claimant-R1 within eight weeks hence, failing which the Appellant is at liberty to realize the same through the process of the Court. The statutory deposit together with the accrued interest thereon be refunded upon receipt of proof of deposit of compensation by the Appellant before the learned Tribunal. The communication referred above does form part of this judgment.

(G. Satapathy)
Judge

Signature Not Verified
Digitally Signed
Signed by: PRIYAJIT SAHOO
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 11-Nov-2026 17:39:21

Orissa High Court, Cuttack,
Dated the 10th day of November, 2026/Priyajit