

(2023) 01 OHC CK 0017
In the Orissa High Court
Case No : MACA No.615 Of 2019

Authorized Signatory, Reliance General Insurance,
Kharavelnagar, Bhubaneswar

APPELLANT

Vs

Kalpana Panda And Others

RESPONDENT

Date of Decision : 09-01-2023

Acts Referred:

Citation : (2023) 01 OHC CK 0017

Hon'ble Judges : B. P. Routray, J

Bench : Single Bench

Advocate : G.P. Dutta, Satyabrata Mohanty

Final Decision : Disposed Of

Judgement

B. P. Routray, J

1. The matter is taken up through hybrid mode.
2. Heard Mr. G.P. Dutta, learned counsel for the insurer – Appellant and Mr. S. Mohanty, learned counsel for claimant – Respondents 1 to 5.
3. Present appeal by the insurer is against the impugned judgment dated 17th May, 2019 of learned 1st MACT, Dhenkanal passed in MAC Case No.80 of 2014 wherein compensation to the tune of Rs.53,64,020/- along with interest @ 7% per annum from the date of filing of the claim application, i.e. 14th March, 2014 has been granted on account of death of deceased Prasanta Kumar Panda in the motor vehicular accident dated 26th January, 2014.
4. Upon hearing both parties and considering all such grounds advanced, a reduced compensation of Rs.50,00,000/- along with 6% interest is proposed to the parties. This is agreed by Mr. Mohanty, learned counsel for the claimant – Respondents and Ms. Dutta, learned counsel for the insurer leaves it to the discretion of the court. Accordingly the compensation amount is fixed to the said extent.

5. In the result, the appeal is disposed of with a direction to the Appellant – insurer to deposit a reduced compensation of Rs.50,00,000/- (fifty lakhs) before the tribunal along with interest @ 6% per annum from the date of filing of the claim application, i.e. 14th March, 2014, within a period of two months from today; where-after the same shall be disbursed in favour of the claimant – Respondents on such terms and proportion to be decided by the learned tribunal.

6. The statutory deposit made by the insurer - Appellant before this court along with accrued interest be refunded to the Appellant on proper application and on production of proof of deposit of the awarded amount before the tribunal.

7. An urgent certified copy of this order be issued as per rules.

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