
(2022) 04 OHC CK 0012
In the Orissa High Court
Case No : MACA No.27 Of 2021

Divisional Manager, National Insurance Company Ltd

APPELLANT

Vs

Sambit Mohapatra And Another

RESPONDENT

Date of Decision : 04-04-2022

Acts Referred:

Citation : (2022) 04 OHC CK 0012

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

Bench : Single Bench

Advocate : P.K.Tripathy, P.K.Singh

Final Decision : Disposed Of

Judgement

B. P. Routray, J

1. Heard Mr.Tripathy, learned counsel for the Appellant and Mr.Singh, learned counsel for the claimant-Respondent No.1.

2. Present appeal by the Insurer is directed against the judgment dated 6th February, 2020 passed by learned District Judge-Cum-1st M.A.C.T., Jagatsinghpur in Motor Accident Claim Case No.221 of 2016, wherein compensation to the tune of Rs.8,30,960/- has been granted along with interest @ 7% per annum with effect from the date of filing of the claim application on account of injuries sustained by the claimant in the motor vehicular accident dated 26th January, 2015.

3. Having heard both parties and considering the grounds advanced, a reduced compensation of Rs.6,50,000/- along with interest @6% per annum is proposed to the parties in course of hearing. This is agreed by Mr.Singh, learned counsel for the claimant-Respondent No.1. Mr.Tripathy, learned counsel for the Insurer leaves it to the discretion of the Court. As such, the amount is fixed to that extent.

4. The Insurer-Appellant is directed to deposit the reduced compensation of

Rs.6,50,000/-(Six lakhs fifty thousand) before the tribunal along with interest @6% per annum from the date of filing of the claim application within a period of two months from today; where-after the same shall be disbursed in favour of the claimant on same terms and proportion as directed by the Tribunal. However, the penal interest @9% is waived.

5. With aforesaid modification in the compensation amount, the appeal is disposed of.

6. The statutory deposit made by the Appellant with accrued interest thereon be refunded to him on proper application and on production of proof of deposit of the award amount before the learned Tribunal.

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

.....