
(2022) 08 OHC CK 0176
In the Orissa High Court
Case No : MACA No.903 Of 2019

Divisional Manager, Oriental Insurance Co. Ltd

APPELLANT

Vs

Paina Bewa And Others

RESPONDENT

Date of Decision : 25-08-2022

Acts Referred:

Citation : (2022) 08 OHC CK 0176

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

Bench : Single Bench

Advocate : S. Satapathy, D. Patnaik

Final Decision : Disposed Of

Judgement

B. P. Routray, J

1. Heard Mr. S. Satapathy, learned counsel for the Appellant-Insurance Company as well as Mr. D. Patnaik, learned counsel for the Respondent Nos.1 to 3-claimants.

2. Present appeal by the insurer is directed against the judgment dated 30.08.2019 of learned 3rd M.A.C.T., Jajpur in M.A.C. Case No.68 of 2004 wherein compensation to the tune of Rs.2,64,000/-has been granted along with interest @6% per annum to the claimants from the date of filing of the claim application, i.e.14.09.2004 on account of death of the deceased in the motor vehicular accident dated 24.07.2004.

3. Upon hearing both the parties and considering the grounds of challenge advanced, a consolidated amount of Rs.3,32,000/- is proposed to the parties in course of hearing. Mr. D. Patnaik, learned counsel for the claimants-Respondent Nos.1 to 3 agrees to the same and Mr. S. Satapathy, learned counsel for the Appellant-Insurance Company leaves it to the discretion of the Court. The compensation amount is accordingly fixed to that extent.

4. In the result, the Appellant – Insurance Company is directed to deposit the

consolidated amount of Rs.3,32,000/- (rupees three lakhs thirty-two thousand) before the Tribunal within a period of two months from today; where-after the same shall be disbursed in favour of the claimants on such terms and proportion to be fixed by the Tribunal.

5. On deposit of the award amount before the learned Tribunal and filing of a receipt evidencing the deposit with a refund application before this Court, the statutory deposit made before this Court with accrued interest thereon shall be refunded to the Appellant-Insurance Company.

6. The MACA is disposed of with aforesaid directions.

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

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