
(2022) 08 OHC CK 0149
In the Orissa High Court
Case No : MACA No.653 Of 2019

M/s.National Insurance Co. Ltd

APPELLANT

Vs

Pratap Mukhi And Others

RESPONDENT

Date of Decision : 22-08-2022

Acts Referred:

Citation : (2022) 08 OHC CK 0149

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

Bench : Single Bench

Advocate : Bijoy Dasmohapatra, P.K.Mishra

Final Decision : Disposed Of

Judgement

B.P. Routray

- 1.The matter is taken up through Hybrid mode.
2. Heard Mr.Dasmohapatra, learned counsel for the Appellant-Insurer and Mr.Mishra, learned counsel for claimant-Respondent Nos.1 to 5.
3. Present appeal by the Appellant is against the judgment dated 20th February, 2019 of the 1st M.A.C.T., Mayurbhanj, Baripada in MAC Case No.81 of 2017, wherein compensation to the tune of Rs.12,53,240/- has been granted along with interest @7% per annum with effect from the date of filing of the claim application on account of death of the deceased in the motor vehicular accident on 3rd July, 2017.
4. Having heard both parties and considering the grounds of challenge advanced, a reduced compensation of Rs.11,50,000/-along with interest @6% per annum is proposed to the parties in course of hearing. This is agreed by Mr. Mishra learned counsel for the claimant-Respondent Nos.1 to 5. Mr. Dasmohapatra, learned counsel for the Insurer leaves it to the discretion of the Court. As such, the amount is fixed to that extent.

5. The Insurer-Appellant is directed to deposit the reduced compensation of Rs.11,50,000/- (Eleven 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 claimants on such terms and proportion to be fixed by the Tribunal.

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

7. 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.

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

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