



IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA NO.600 of 2024

**D.M.(Legal), Royal
Sundaram General
Insurance Company Ltd.**

....

Appellant

Mr. A.A. Khan, Advocate

-versus-

Renubala Mallik & Others

Respondents

*Mr. P.K. Mishra, Adv.
(Res. Nos.1 to 3)*

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
22.07.2025**

Order No.

I.A. NO.1805 of 2025

09.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard learned counsel appearing for the parties.

3. This is an application seeking modification of order dt.21.03.2025.

4. It is contended that by the time the appeal was disposed of vide order dt.21.03.2025, Respondent No.3 had already died on 15.03.2025 as found from the Death Certificate enclosed to the I.A.

4.1. It is contended that since Respondent NO.3 has died on 15.03.2025 and all his legal heirs are on record, the share as due and admissible to Respondent No.3 be



distributed in favour of Res. Nos.1 & 2 proportionately in terms of judgment dt. 13.09.2023.

4.2. It is also contended that pursuant to the earlier order passed by this Court, the appellant-company though has deposited the compensation amount by way of account payee cheque drawn in favour of claimants-respondents No.1 to 3, but in view of the order passed today, the appellant has to make a fresh deposit of the entitlement as due and admissible to Respondent Nos.1 & 2.

5. Having heard learned counsel for the parties and considering the submission made, this Court while disposing the I.A directs the Tribunal to disburse the share as due and admissible to Respondent No.3 proportionately in terms of judgment dt.13.09.2023 in favour of Respondent Nos.1 & 2.

6. Considering the submission that the amount has already been deposited by way of account payee cheque, in view of the order passed today, the Tribunal is directed to permit the appellant to take back the account payee cheque so produced and make a fresh deposit of the compensation amount in favour of Respondent Nos.1 & 2 within a period of six (6) weeks from today before the Tribunal.

7. The I.A accordingly stands disposed of with the aforesaid observation and direction.

(Biraja Prasanna Satapathy)
Judge



Sangita

Signature Not Verified

Digitally Signed
Signed by: SANGITA PATRA
Reason: authentication of order
Location: high court of orissa, cuttack
Date: 31-Jul-2025 11:49:45

