



IN THE HIGH COURT OF ORISSA AT CUTTACK
MACA NO.810 of 2024

(An appeal Under Section-173 of M.V. Act, 1988).

The Divisional Manager* ... *Appellant
Reliance General Insurance
Company Ltd, Bhubaneswar
-versus-

Sachala Pradhan & Others* ... *Respondents

For Appellant* : *Mr. G.P.Dutta, Advocate

For Respondents* : *Mr. B.N.Rath, Advocate
(R-1 to 4)

CORAM:

JUSTICE G. SATAPATHY

DATE OF HEARING & JUDGMENT: 03.07.2026 (ORAL)

G. Satapathy, J.

1. This is an appeal U/S. 173(1) of the Motor Vehicles Act by the Appellant-Divisional Manager, Reliance General Insurance Co. Ltd., Bhubaneswar(in short, "the insurer") challenging the impugned judgment dated 13.01.2023 passed in M.A.C. Case No.155 of 2019 (114/2016-GDC) by which the learned 2nd Motor Accident Claims Tribunal(SD), Berhampur, Ganjam (hereinafter referred to as "the Tribunal") has directed the insurer to pay a sum of Rs.89,15,298/- only together with simple interest @ 6% per



annum w.e.f. 24.09.2021 till its realization to the Respondent Claimant Nos.-1 to 4.

2. The facts in this case being not disputed is not reiterated to avoid repetition. The appellant-insurer, however, challenges the impugned judgment on quantum of compensation.

3. Heard Mr. Girija Prasad Dutta, learned counsel for the appellant-insurer and Mr. Biranchi Narayan Rath, learned counsel for the claimant-Respondent Nos. 1 to 4, but none appears for R-5 despite valid service of notice.

4. After having considered the rival submission upon perusal of record, it appears that the insurance company has assailed the quantum of compensation as awarded under the impugned judgment, but this appeal has been filed with delay of 451 days, however, the claimants have conceded for condonation of delay. In the aforesaid situation and on a thorough discussion & negotiation with the learned counsels for the parties, this Court proposes a sum of Rs.80,00,000/- along with interest @ 6% per annum w.e.f. from 24.09.2021 till its realization and seeks the response of learned counsel for the parties, to which Mr. Biranchi Narayan Rath, learned counsel



for the claimant-Respondent Nos. 1 to 4 by filing a memo agrees and accepts the proposal, but Mr. Guru Prasad Dutta, learned counsel for the appellant-insurer without disputing such proposal leaves it to the discretion of this Court.

5. In the aforesaid facts and situation and taking into account the law laid down by Apex court in ***Taslim Parvin & Another vrs. (Smt.) Usha Devi & Another; 2018(2) TAC 22 (SC)***, since the claimant-respondent Nos. 1 to 4 agree and accept the proposal of the Court through their counsel Mr. Biranchi Naraya Rath and the counsel for the appellant-insurer without disputing to such proposal leaves it to the discretion of the Court, it is considered that interest of justice would be best served, if the compensation amount is reduced to Rs.80,00,000/- together with interest @ 6% per annum w.e.f. the date of filing of the claim application i.e. 24.09.2021 till its realization which shall be paid by the insurer to the claimant-respondent Nos.1 to 4.

6. In the result, the appeal is accordingly disposed of with modification of compensation amount to Rs.80,00,000/- (Rupees Eighty Lakhs) together with interest @ 6% per annum w.e.f. the date of filing of the claim application i.e. 24.09.2021

till its realization and this Court accordingly directs the



insurance company to pay the modified compensation amount to the R-1 to 4-cum-claimants within eight weeks hence. In case of payment of the modified compensation amount, the same shall be disbursed to the claimant-respondent Nos.1 to 4 proportionately in terms of the award and the statutory deposit together with the accrued interest thereon be refunded back on receipt of deposit of modified compensation amount before the learned Tribunal.

(G. Satapathy)
Judge

*Orissa High Court, Cuttack,
Dated the 3rd day of July, 2026/kishore*