



IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.1169 of 2024

***Reliance General
Insurance Company Ltd.,
BBSR***

....

Appellant

Mr. S. Satapathy, Advocate

-versus-

***Jatadhari Pradhan &
Another***

....

Respondents

Mr. P.K. Mishra, Adv. for Resp.

1

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
30.04.2025**

I.A. No.2748 of 2024

Order No.

- 03.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Perused the office note. Since notice has been duly served on Respondent No.2, notice against the said Respondent is treated as sufficient.
3. Heard learned counsel appearing for the Parties.
4. Considering the grounds taken in the I.A., the delay in filing of the appeal is condoned subject to payment of cost of Rs.3500/- to be paid before the



Orissa High Court Bar Association Welfare Fund by
05.05.2025.

5. Accordingly, the I.A stands disposed of.

(Biraja Prasanna Satapathy)
Judge

MACA No.1169 of 2024

04. 1. Heard learned counsel appearing for the Parties.

2. This appeal has been filed challenging the award dtd.02.09.2023 passed by the learned 3rd MACT, Puri in M.A.C.T Case No.398 of 2007. Vide the said judgment, the Tribunal awarded compensation at Rs.8,78,000/- along with interest @ 6% per annum payable from the date of filing of the claim application till its realization.

3. In support of the appeal, learned counsel appearing for the appellant contended that since the F.I.R was lodged with delay of around of 21 days from the date of occurrence, the same amount to non-compliance of the provisions contained under Section-158(6) of the M.V. Act.

3.1. It is also contended that no sufficient and valid reason since was assigned for such delay in lodging the F.I.R, the same should have been taken into consideration by the Tribunal while assessing the



compensation and the stand of the appellant that the offending vehicle was planted was required to be accepted. It is accordingly contended that the impugned award needs interference of this Court.

4. Mr. P.K. Mishra, learned counsel for the Respondent No.1 though supported the impugned award, but contended that, claimants will have no grievance if the award is interfered with award of compensation to the tune of Rs.13,00,000/- consolidated.

5. Learned counsel for the appellant leave the aforesaid proposition so made by the learned counsel appearing for the claimants to the discretion of this Court.

6. Having heard learned counsel appearing for the Parties and considering the submissions made, this Court while interfering with the award held the claimant-Respondent No.1 entitled to get compensation amount of Rs.13,00,000/- consolidated. While holding so, this Court directs appellant to deposit the aforesaid compensation amount of Rs.13,00,000/- consolidated before the Tribunal within a period of eight (8) weeks from the date of receipt of this order. On such deposit of the amount, the Tribunal is directed to disburse the same in favour of the claimant-



Respondent No.1 proportionately in terms of the judgment dtd.02.09.2023.

6.1. However, it is observed that if the amount is not deposited within the aforesaid time period, the same shall carry interest @ 6% per annum for the period starting from expiry of the period of eight weeks till the amount is so deposited.

6.2. On such deposit of the amount, the Appellant-Company shall be permitted to take back the statutory deposit along with accrued interest, if any, from the Registry on proper identification.

7. Accordingly, the MACA stands disposed.

(Biraja Prasanna Satapathy)
Judge

Subrat

Signature Not Verified

Digitally Signed
Signed by: SUBRAT KUMAR BARIK
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 05-May-2025 18:40:19

