

M.A.C.A. No.705 of 2015

Misc. Case No.1127 of 2015

09.10.2015

This is an application filed by the claimants-appellants for exemption from payment of Court fee for the time being.

Considering the submissions made, the claimants-appellants are exempted from payment of court fee for the time being, which shall be paid at the time disposal of the appeal.

Misc.Case is accordingly disposed of.

(S.C.PARIJA, J.)

MACA No.705 of 2015

Though this matter was listed for orders today, on consent of the learned counsel for the parties, the same is taken up for final disposal.

Heard learned counsel for the parties.

This appeal by the claimants-appellants is directed against the judgment/award dated 07.4.2015, passed by the learned 3rd Motor Accident Claims Tribunal, Bhubaneswar, in MACT Case No.71/308 of 2009-08, awarding an amount of Rs.1,63,000/- as compensation along with interest @7% per annum from the date of filing of the claim application i.e. 08.12.2008, till payment. The claimants seek enhancement of the compensation amount awarded.

Considering the submissions made and keeping in view the findings of the learned Tribunal as given in the impugned award with regard to the quantum of compensation amount awarded and the basis on which the same has been arrived at, I feel, the interest of justice would be best served, if the claimants are awarded a further consolidated compensation amount of Rs.1,00,000/-, on which no interest is payable. The impugned award is modified to the said extent.

The Insurance Company-respondent no.2 is directed to deposit the further consolidated compensation amount of Rs.1,00,000/- with the learned Tribunal within six weeks hence, which shall be disbursed to the claimants on proper identification.

MACA is accordingly disposed of.

Issue urgent certified copy as per rules.

(S.C.PARIJA, J.)