

ITEM NO.301

COURT NO.13

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s).5582/2023

[Arising out of impugned final judgment and order dated 19-05-2022 in MACA No.324/2021 passed by the High Court of Orissa at Cuttack]

THE ORIENTAL INSURANCE CO. LTD.

Petitioner(s)

VERSUS

TUNI PATI & ORS.

Respondent(s)

(IA No. 41711/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 41716/2023 - EXEMPTION FROM FILING O.T.)

Date : 05-02-2026 This matter was called for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) Mr. H. Chandra Sekhar, AOR
Mr. Jhadav Vishal, Adv.
Mr. Vishal M. Vandaganoor Kar, Adv.

For Respondent(s) Mr. Jay Savla, Sr. Adv.
Ms. Renuka Sahu, AOR
Mr. Ajay Mohapatra, Adv.

Mr. Pitambar Acharya, Advocate General
Mr. Srisatya Mohanty, AOR
Ms. Sakshi Mittal, Adv.
Ms. Sukanya Das, Adv.
Ms. Visakha Raghuram, Adv.

O R D E R

Heard learned counsel for the parties.

2. Learned Advocate General appearing for the State of Odisha has also participated in the Court proceedings through video

conferencing.

3. The case of the petitioner-Insurance Company is directed against the award of compensation granted to respondents no.1 to 3 and the main ground of challenge is that the vehicle in question was involved in multiple accidents and this was also a case where, fraudulently the vehicle just because it was having a valid insurance coverage, was named as the offending vehicle so as to claim undue benefit from the petitioner-Insurance Company.

4. The above factual aspect persuaded us to direct the authorities of the State of Odisha to conduct a larger exercise of finding out with regard to whether such allegation was true.

5. Pursuant thereto, the latest compliance report, as submitted on behalf of the State of Odisha and presented before the Court by the learned Advocate General, indicates that the vehicle in question was involved in four other accident cases in which, they are conducting further inquiry, but as far as the present case is concerned, it has been found that this vehicle was the vehicle, which was involved in the accident in question.

6. In the background of such finding, we are not interfering in the order awarding compensation to respondents no.1 to 3-claimants by the Courts concerned.

7. At this stage, learned counsel for the petitioner-Insurance Company submits that the entire compensation award has been deposited before the Court of 2nd Additional District Judge-Cum-3rd MACT, Cuttack (for short, the "MACT") out of which, some amount has been disbursed to the claimants.

8. Be that as it may, we leave it open to the MACT to go into this factual aspect, but the MACT shall ensure that the entire amount, as per the impugned order of the High Court, be paid to the respondents no.1 to 3-claimants, within four weeks from today.

9. Learned Advocate General submits that the investigation team consists of very senior officers and he is also being consulted by them and it reveals a wide racket in which, all stakeholders may be involved and many arrests have also taken place. He submits that appropriate action is being taken and if required, permission from the Competent Authority shall be taken for interrogation/questioning of the persons concerned. Such liberty is granted to the State of Odisha.

10. We appreciate the interest taken by the authorities and more importantly, by the learned Advocate General, who has taken personal interest to ensure compliance of the directions of the Court, as was required, both in letter and spirit. We record our appreciation of the role played by the learned Advocate General of the State of Odisha.

11. We expect that matters would be taken to their logical conclusion expeditiously and confidentiality of the same shall be maintained in the manner required.

12. We also appreciate the role of the learned counsel for the petitioner in persuading this Court to go into this larger exercise, which has now revealed very shocking facts and the enormity of the situation.

13. In view of the larger picture which has emerged indicating that this type of illegal activity may not be limited to the State

of Odisha, we request the learned counsel for the petitioner in the present case to provide a list of all Insurance Companies operating in the Public and Private Sector covering the field of Vehicle Insurance, Medical Insurance, Life Insurance, Crop Insurance, Fire Insurance, Marine Insurance, etc.

14. The matter be listed under the heading "For Direction" on 18.03.2026 at 03:30 p.m.

(SAPNA BISHT)
COURT MASTER (SH)

(ANJALI PANWAR)
ASSISTANT REGISTRAR