
(2022) 05 OHC CK 0081
In the Orissa High Court
Case No : MACA No.170 Of 2021

Gati Krushna Pradhan

APPELLANT

Vs

M.Jeelani And Another

RESPONDENT

Date of Decision : 12-05-2022

Acts Referred:

Citation : (2022) 05 OHC CK 0081

Hon'ble Judges : B. P. Routray, J

Bench : Single Bench

Advocate : G.P. Dutta, P.K. Mishra

Final Decision : Disposed Of

Judgement

B. P. Routray, J

1. Heard Mr. P.K. Mishra, learned counsel for the claimant – Appellant and Mr. G.P. Dutta, learned counsel for insurer – Respondent No.2.

2. Present appeal by the claimant has been filed challenging the judgment dated 9th November, 2020 of learned 1st MACT, Cuttack passed in MAC Case No.880 of 2015 wherein compensation to the tune of Rs.7,40,000/- along with interest @ 6% per annum from the date of filing of the claim application, i.e. 23rd November, 2015 has been granted on account of injuries sustained by the claimant in the motor vehicular accident dated 30th October, 2015.

3. Upon hearing Mr. Mishra, learned counsel for the claimant – Appellant and Mr. Dutta, learned counsel for insurer – Respondent No.2 and considering the prevalent minimum wages on the date of accident @ Rs.200/- per day and admittedly, future prospects was not counted towards loss of future earnings of the injured – claimant, a further consolidated sum of Rs.4,00,000/- is proposed to the parties. This is agreed by Mr. Mishra, learned counsel for the claimant and Mr. Dutta, learned counsel for the insurer leaves it to the discretion of the Court. As such the amount is enhanced further to the above extent.

4. In the result, the appeal is disposed of with a direction to the insurer – Respondent No.2 to deposit a further consolidated sum of Rs.4,00,000/- (four lakh) before the tribunal within a period of two months from today; where-after the same shall be disbursed in favour of the claimant – Appellant on such terms and proportion to be decided by the learned Tribunal.

5. An urgent certified copy of this order be issued as per rules.

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