
(2023) 04 OHC CK 0116
In the Orissa High Court
Case No : MACA No.302 Of 2017

Rajendra Patra

APPELLANT

Vs

Susama Samal & Anr

RESPONDENT

Date of Decision : 11-04-2023

Acts Referred:

Citation : (2023) 04 OHC CK 0116

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

Bench : Single Bench

Advocate : B.N.Samantaray, G.P.Dutta

Final Decision : Disposed Of

Judgement

B.P.Routray, J

1. The matter is taken up through hybrid mode.
2. Heard Mr.Samantray, learned counsel for the Appellant & Mr.Dutta, learned counsel for the Respondents.
3. Upon hearing both parties and considering the grounds mentioned in the limitation application, delay in filing the appeal is condoned.
4. I.A. is disposed of.

MACA No. 302 of 2017

5. Present appeal by the Insurer is directed against judgment dated 5th November, 2016 of District Judge-cum-1st M.A.C.T., Kendrapara in MAC No.36 of 2013, wherein compensation to the tune of Rs.1,23,600/- has been granted along with interest @6% per annum with effect from the date of filing of the claim application on account of injury sustained by the Claimant in the motor vehicular accident on 31st January, 2013.

6. Upon hearing both parties and considering all such grounds of challenge

advanced including the extent and nature of disability sustained by the Claimant, a further consolidated compensation of Rs.2,00,000/- is proposed to the parties in course of hearing. This is agreed by Mr.Samantaray, learned counsel for the claimants. Mr.Dutta, learned counsel for the Insurer leaves it to the discretion of the Court. As such, the amount is fixed to that extent.

7. In the result, the appeal is disposed of with a direction to the Insurer to deposit the further consolidated compensation of Rs.2,00,000/- (Two lakhs) before the Tribunal within a period of two months from today; where-after the same shall be disbursed in favour of the claimant on such terms and proportion to be fixed by the Tribunal.

8. Urgent certified copy of this order be granted on proper application.

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