

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.240 of 2008

Ramani Ranjan Satapathy ***Appellant***
Mr. S.B. Das, Advocate on behalf of Mr. S. Panigrahi, Advocate
-versus-

Sohan Singh and another ***Respondents***
Ms. R. Pati, Advocate for Respondent No.2

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
13.09.2022

Order No.

15.

1. Heard Mr. S.B. Das on behalf of Mr. S. Panigrahi, learned counsel for the Appellant-claimant and Ms. R. Pati, learned counsel for the Respondent No.2-Insurance Company.

2. Present appeal by the claimant-Appellant is directed against the judgment dated 18.02.2003 of learned 2nd M.A.C.T., Northern Division, Sambalpur in Misc.(A) Case No.52 of 1996 (S) wherein compensation to the tune of Rs.1,43,000/- has been granted to the claimant on account of injury sustained by him in the motor vehicular accident dated 6.5.1995.

3. Learned Tribunal while directing payment of compensation to the aforesaid tune has directed the owner to pay the same by exonerating the insurer. Said owner-Respondent No.1 died in the meantime and the Appellant is unable to take steps for substitution of said Respondent No.1.

4. Mr. S.B. Das submits for the Appellant-claimant that Respondent No.1 died without leaving any LR and as such he is unable to take steps of his substitution. Such submission is not found conceivable. However, keeping in view the submissions made, the appeal is abated against Respondent No.1-owner, who is the contesting Respondent.

5. Consequently, the appeal is dismissed as abated.

