

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.50 of 2014

National Insurance Company Limited *Appellant*
Mr. J.R. Deo, Advocate on behalf of Mr. G. Mishra, Senior
Advocate

-versus-

Kuntala Mohapatra and others *Respondents*
Mr. K. Das, Advocate for Respondent Nos.1 to 4

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
21.10.2022

Order No.

12.

1. Heard Mr. J.R. Deo, learned counsel on behalf of Mr. G. Mishra, learned Senior Advocate for the Appellant and Mr.K. Das, learned counsel for the Respondent Nos.1 to 4.

2. It is seen that this Court by order dated 22.8.2022 has dismissed the appeal against the owner-Respondent No.5 for non-taking of steps for substitution. Since the appeal is already abated/dismissed against Respondent No.5, no more cause of action survives against rest of the Respondents, who are the claimants.

3. The appeal is dismissed against all the Respondents.

4. The statutory deposit made before this Court with accrued interest thereon shall be refunded to the Appellant-Insurance Company. Further the check of Rs.39,81,800/- as deposited by the Appellant before this Court be returned to the Appellant.

5. Mr. J.R. Deo, learned counsel for the Appellant undertakes to deposit the award amount before the learned trial court within a period of two months from today.

(B.P. Routray)
Judge

