

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 465 of 2013

Muralidhar Mallick and Others ***Appellants***

Mr. Dillip Kumar Mohapatra, Advocate

-versus-

Learned Member of 3rd MACT-cum- ... ***Respondents***
ADJ, Jagatsingpur and another

None

CORAM:
THE CHIEF JUSTICE
JUSTICE CHITTARANJAN DASH

Order No.

ORDER
23.08.2022

05. 1. This writ appeal by the parents and siblings of a deceased victim of a motor accident is directed against an order dated 2nd August, 2013 of the learned Single Judge dismissing Writ Petition (Civil) No.2199 of 2013 filed by them challenging an order dated 22nd November, 2012 passed by the 3rd MACT-cum-ADJ, Jagatsinghpur in MAC No.400 of 2010 apportioning the awarded amount among the claimants.
2. The total compensation awarded was Rs.4 lakhs. It was ordered to be distributed as follows: Rs. 1.5 lakhs to be kept in a fixed deposit in the name of the wife of the deceased; Rs.20,000/- each to the parents, Rs.30,000/- to the sister and Rs.20,000/- to the brother. From the balance amount, Rs.1,20,000/- was directed to

be paid to the wife of the deceased and Rs.20,000/- each in favour of the parents.

3. The plea of the Appellants is that the amount asked to be placed in a fixed deposit i.e. Rs.1,50,000/-in the name of the wife of the deceased should also be directed to be distributed equally amongst the others as well.

4. It is seen that during the pendency of the present appeal there was no stay of the impugned order of the learned Single Judge. Therefore, the impugned order should have worked itself out. In any event, considering that the amount has been asked to be distributed in favour of the wife of the deceased with others getting reasonable sums in more or less equal proportion, the Court sees no error committed by the learned Single Judge in declining to interfere with the order of the MACT, Jagatsinghpur.

5. There is no merit in this appeal and it is dismissed as such.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge

S.K. Jena/Secy.