

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No. 1088 of 2007

Gharia Kandi

....

Appellant

Mr. Arup Kumar Jena, Advocate

-versus-

Jagadish Prasad Mohanty and Another

Respondents

Mr. Harihar Dora, Advocate (R/1)

CORAM:

THE CHIEF JUSTICE

Order No.

ORDER
09.09.2022

07.

1. The claim has been rejected on the ground that earlier the case against Respondent No.1, who is the owner of the vehicle was dismissed by an order dated 8th November, 2000 and no steps were taken by the Claimant to have that order set aside. As rightly pointed out, in the absence of the owner of the vehicle, who is the insured person, the case was not maintainable against the insurance company.

2. The court is unable to find any error having been committed by the MACT in coming to the above conclusion. The appeal is accordingly dismissed.

(Dr. S. Muralidhar)
Chief Justice