

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**MACA No.537 of 2010**

**Minati @ Mina Pradhan &  
Others**

....

**Appellants**

*-versus-*

**Naresh Ch. Behera & Another**

....

**Respondents**

**CORAM:  
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER  
22.06.2022**

**I.A. No.423 of 2022**

**Order No**

**9.**

- 1.** This matter is taken up through Hybrid Mode.
- 2.** Heard learned counsel for the Parties.
- 3.** Considering the grounds taken in the I.A., the delay in filing of the appeal is condoned.
- 4.** The I.A is disposed of.

**(Biraja Prasanna Satapathy)  
Judge**

**MACA No.537 of 2010**

- 10. 1.** This is an application for enhancement of the award passed by the learned 2<sup>nd</sup> Motor Accident Claims Tribunal, Cuttack in its order dated 17.03.2010 passed in Misc. Case No.920 of 1994.
- 2.** It is submitted by Mr. Mohanty, learned counsel for the Appellant that learned Tribunal without proper appreciation of the claim raised only passed an award awarding compensation of Rs.2,37,400/- along with @ 7 % interest from the date filing till its payment.

3. Accordingly, Mr. Mohanty, prayed for interference of this Court and for enhancement of the award.

4. Mr. Pradhan, learned counsel appearing for the Company on the other hand submitted that as against the claim of Rs.2,00,000/- , learned Tribunal has allowed compensation of Rs.2,37,400/- along with interest @ 7 % per annum. The entire award amount has also been paid to the claimants. It is also submitted that the present appeal was filed in the year 2010 and no step was taken to file any application seeking condonation of delay till 2022. Accordingly, Mr. Pradhan submitted that the appeal is liable to be rejected.

5. Considering all such aspects, this Court is not inclined to entertain the appeal.

6. Accordingly, the MACA is dismissed.

**(Biraja Prasanna Satapathy)**  
**Judge**

Subrat