

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.159 of 2019

Kusuma Sethy and Another ***Appellants***

Mr. Susanta Kumar Nayak, Advocate

-versus-

Rama Chandra Nath and Another ***Respondents***

Mr. Santosh Mohanty, counsel for Respondent No.2

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

17.2.2022

Order No.

05. 1. Heard Mr. S.K. Nayak, learned counsel for the claimant – Appellants and Mr. S. Mohanty, learned counsel for the insurer – Respondent No.2.
2. The present appeal by the claimants is directed against the nil award dated 21st December, 2018 of the learned 2nd MACT, Cuttack in Misc. Case No.33 of 2010.
3. Upon hearing both parties it reveals that in the meantime Appellant No.1, the wife of the deceased died and Appellant No.2 is the major son of the deceased on the date of accident. As such, no further cause of action survives in the present appeal.
5. Accordingly, the appeal is dismissed.
6. Send back the LCRs. forthwith.
7. An urgent certified copy of this order be issued as per rules.

(B.P. Routray)
Judge