

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.209 of 2019

Chandrakanta Samal @ Bikash ***Appellant***

Mr. B. Singh, Advocate

-versus-

Susanta Patra and Another ***Respondents***

Mr. G.P. Dutta, counsel for Respondent No.2

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

11.8.2022

Order No.

- 09.
1. The matter is taken up through hybrid mode.
 2. Heard Mr. B. Singh, learned counsel for the Appellant and Mr. G.P. Dutta, learned counsel for insurer – Respondent No.2.
 3. Present appeal by the claimant is for enhancement of the compensation as awarded in the impugned judgment dated 27th December, 2018 of the learned 3rd MACT, Balasore passed in MAC Case No.360 of 2015 wherein compensation to the tune of Rs.88,158/- along with interest @ 7.5% per annum from the date of filing of the claim application, i.e. 3rd September, 2015 has been granted on account of injuries sustained by the claimant in the motor vehicular accident dated 5th May, 2015.
 4. Having heard both parties and considering the grounds of challenge advanced, a further consolidated sum of Rs.25,000/- is proposed to the parties in course of hearing. This is agreed by Mr.

Singh, learned counsel for the injured-claimant and Mr. Dutta, learned counsel for the insurer leaves it to the discretion of the Court. As such the amount is fixed to the said extent.

5. In the result, the appeal is disposed of with a direction to the insurer – Respondent No.2 to deposit a further consolidated sum of Rs.25,000/- (twenty-five thousand) before the tribunal within a period of two months from today; where-after the same shall be disbursed in favour of the claimant – Appellant on such terms and proportion to be decided by the learned Tribunal.

6. It goes without saying that the right of recovery as granted by the tribunal in favour of the insurer is left undisturbed.

7. An urgent certified copy of this order be issued as per rules.

(*B.P. Routray*)
Judge