

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8041 of 2022

Mamata Naik @ Nayak & another

Petitioners

....
Mr.G.K. Nayak, Advocate

-versus-

***Divisional Manager, Oriental
Insurance Company Ltd. & others***

.... ***Opposite Parties***

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
26.10.2022**

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. The present writ application has been filed challenging the order dated 28.01.2022 passed in MAC No.21 of 2020 by the learned 3rd M.A.C.T.-cum-Additional District Judge, Bhanjanagar.
3. Order dated 28.01.2022 had been passed on an application filed by the Claimant-Petitioner under Order 1 Rule 10(4) C.P.C. read with Section 151 C.P.C. to add Minati Nayak and two others namely, Ranima Nayak and Samil Nayak as respondents to the MAC case on the ground that they are necessary parties to the claim petition.
4. Learned counsel for the Petitioners submits that the parties who are added as respondents vide order dated 28.01.2022 are all major. Therefore, they are not entitled to claim any compensation

amount. Further, it is submitted that the newly added respondents had already filed separate claim petition, which is also pending adjudication.

5. Considering the aforesaid submissions, the present writ application is disposed of at the state of admission by granting, liberty to the Petitioner to raise the grounds against the newly added respondents and their claim before the MAC Tribunal. In the event such grounds are raised, the learned Tribunal while taking up the claim shall also consider such grounds which are to be raised by the claimant-Petitioners in MAC No.21 of 2020.

6. With the aforesaid observation, the writ application is disposed of.

(A.K. Mohapatra)
Judge

RKS

