

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.308 of 2019

Rabindra Kumar Sahoo ***Appellant***
Mr.Durga Charan Dey, Advocate
-versus-
Bikash Chandra Swain and another ***Respondents***
Mr.Piyush Panda, Advocate
for Respondent No.2

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
06.01.2022

Order No.

08.

1. Heard Mr.D.C.Dey, learned counsel for the Appellant and Mr.P.Panda, learned counsel for the Insurer-Respondent No.2.

2. The present appeal is directed against judgment dated 12th February, 2019 passed by the learned 3rd Addl. District Judge-Cum-4th M.A.C.T., Cuttack in M.A.C.Case No.896-2015/21 of 2018, wherein compensation to the tune of Rs.7,05,000/- along with interest @6% per annum has been granted from the date of filing of the claim application i.e., 27th November, 2015 on account of injuries sustained by the Claimant in the accident dated 10th November, 2015.

3. It is submitted by Mr.Dey, learned counsel for the Appellant that the Tribunal has failed to appreciate 20% permanent disability of the Claimant as per the disability certificate.

4. Having heard learned counsel for Respondent No.2-Insurer and upon perusal of the impugned judgment, without getting into further dispute of permanent or temporary disability, and keeping

in view the undisputed extent of disability up to 20%, a further sum of Rs.25,000/-(Twenty five thousand) is enhanced in the compensation.

5. It is submitted in course of hearing that the award amount has not been deposited yet by the Insurer-Respondent No.2.

6. Considering the same, the Insurer-Respondent No.2 is directed to deposit the entire compensation amount of Rs.7,30,000/- (Seven lakhs thirty thousand) before the learned Tribunal along with interest @6% per annum from the date of filing of the claim application i.e., 27th November, 2015 within a period of eight weeks from today; where-after the same shall be disbursed by the learned Tribunal in favour of the Claimant-Appellant in terms of its order.

7. The appeal is disposed of.

8. Urgent certified copy of this order be granted on proper application.

(B.P. Routray)
Judge