

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.323 of 2020

Jagannath Dash

.... ***Appellant***
Mr.S.Sen, Advocate

-versus-

Bijaya Kumar Dhal and another

.... ***Respondents***
Mr.S.Roy, Advocate for Respondent No.2

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
25.8.2022

Order No.

8.

1. The matter is taken up through Hybrid mode.
2. Heard Mr.Sen, learned counsel for the Appellant and Mr.Roy, learned counsel for Insurer-Respondent No.2.
3. Present appeal by the claimant-injured is directed against the judgment dated 30th August, 2019 passed by learned Second Motor Accident Claims Tribunal, Cuttack in Misc.Case Nos.835 & 836 of 2008, wherein the learned Tribunal has refused to grant any compensation in favour of the Appellant by disbelieving his case of sustenance of injury in the accident.
4. Upon hearing both parties and perusal of the impugned award, it reveals that the Tribunal has refused to pay any compensation in favour of the injured-claimant as he failed to satisfy sustenance of such injuries in the accident.

5. Before this Court also the Appellant fails to produce any such material that he had sustained any injuries in the accident. Except his oral statements adduced before the Tribunal, admittedly no other material like injury report or treatment papers have been filed by the claimant-Appellant. Thus, in absence of any material, no fault is seen in the approach of the Tribunal to reject the claim of the applicant for grant of any compensation.

6. In the result, the appeal is dismissed.

(B.P. Routray)
Judge

C.R.Biswal

