

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.612 of 2018

National Insurance Co.Ltd. Appellant

-versus-

Parbati Hembram & Anr. Respondents

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
03.11.2022**

Order No

09. I.A. No.1059 of 2022

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. Amitav Das, learned counsel for the Appellant and Mr. P.K. Behera, learned counsel appearing for the Respondents.
3. It is submitted that in the Judgment passed by the learned Tribunal on 03.02.2018 in MACA No.189 of 2014 though learned Tribunal while directing the Appellant-Company to pay compensation amount has allowed the right of recovery as against the Owner-Respondent No. 1, but while disposing the matter vide order dtd.12.07.2022, no such right of recovery has been allowed by this Court.
4. Considering the fact that learned Tribunal in the impugned order since had allowed the right of recovery, this Court while allowing the interim application, observed that the amount to be paid by the Appellant-Company in terms of the order dtd.12.07.2022 shall be

paid to the Claimant-Respondent with the right of recovery as against the Owner-Respondent No. 1.

5. I.A. is disposed of.

(Biraja Prasanna Satapathy)
Judge

Sneha

