

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.629 of 2013

Harasha Dei and Others ***Appellants***

Mr. P.K. Mishra, Advocate

-versus-

Sanjay Sharma and Another ***Respondents***

Mr. M. Sinha, counsel for Respondent No.2

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

13.9.2022

Order No.

13. 1. The matter is taken up through hybrid mode.
2. Heard Mr. P.K. Mishra, learned counsel for the claimant – Appellants and Mr. M. Sinha, learned counsel for insurer Respondent No.2.
3. Present appeal by the claimants is against the impugned judgment dated 26th March, 2013 of the learned 5th MACT, Khurda passed in MACT Misc. Case No.68 of 2010 wherein compensation to the tune of Rs.8,04,152/- along with interest @ 7% per annum from the date of filing of the claim application, i.e. 8th September, 2010 has been granted on account of death of deceased Bhimasen Jayasingh in the motor vehicular accident dated 7th July, 2010.
4. Upon hearing both parties and considering all such grounds of challenge including addition of future prospects on actual salary, grant of consortium to all the claimants and consequential interest thereon, a

further consolidated sum of Rs.10,00,000/- is proposed to the parties. This is agreed by Mr. Mishra, learned counsel for the claimants and Mr. Sinha, learned counsel for the insurer leaves it to the discretion of the Court. As such the further enhanced amount is fixed to the above 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.10,00,000/- (ten lakhs) before the tribunal within a period of two months from today, where-after the same shall be disbursed in favour of the claimant – Appellants on such terms and proportion to be decided by the tribunal.

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

(*B.P. Routray*)
Judge

M.K.Panda