

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.170 of 2021

Gati Krushna Pradhan

....

Appellant

Mr. P.K. Mishra, Advocate

-versus-

M.Jeelani and Another

....

Respondents

Mr. G.P. Dutta, counsel for Respondent No.2

CORAM:

SHRI JUSTICE B. P. ROUTRAY

ORDER

12.5.2022

Order No.

- 06.
1. Heard Mr. P.K. Mishra, learned counsel for the claimant – Appellant and Mr. G.P. Dutta, learned counsel for insurer – Respondent No.2.
 2. Present appeal by the claimant has been filed challenging the judgment dated 9th November, 2020 of learned 1st MACT, Cuttack passed in MAC Case No.880 of 2015 wherein compensation to the tune of Rs.7,40,000/- along with interest @ 6% per annum from the date of filing of the claim application, i.e. 23rd November, 2015 has been granted on account of injuries sustained by the claimant in the motor vehicular accident dated 30th October, 2015.
 3. Upon hearing Mr. Mishra, learned counsel for the claimant – Appellant and Mr. Dutta, learned counsel for insurer – Respondent No.2 and considering the prevalent minimum wages on the date of

accident @ Rs.200/- per day and admittedly, future prospects was not counted towards loss of future earnings of the injured – claimant, a further consolidated sum of Rs.4,00,000/- is proposed to the parties. This is agreed by Mr. Mishra, learned counsel for the claimant and Mr. Dutta, learned counsel for the insurer leaves it to the discretion of the Court. As such the amount is enhanced further to the above extent.

4. 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.4,00,000/- (four lakh) before the tribunal within a period of two months from today; where-after the same shall be disbursed in favour of the claimant – Appellant on such terms and proportion to be decided by the learned Tribunal.

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

(B.P. Routray)
Judge