

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.1060 of 2016

***Regional Manager, M/s.
Oriental Insurance Co.,
Ltd.***

....

Appellant

Mr.P. Mohanty, Advocate

-versus-

Sulochana Mohanty

....

Respondent

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
28.11.2023**

I.A. No.737 of 2022

Order No.

- 12.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. P. Mohanty, learned counsel for the Petitioner.
3. It is contended that even though the Tribunal while disposing the matter vide order dtd.29.07.2016 allowed right of recovery against the owner-respondent no.2, but this Court while disposing the matter vide order dtd.14.07.2022 did not indicate the said thing while interfering with the quantum only.
4. It is accordingly contended that right to recovery allowed in favour of the appellant-Company be extended in terms of the order passed by the Tribunal.

5. Having heard learned counsel for the Parties and after going through the order passed by the Tribunal, it is found that the Tribunal while disposing the matter allowed right of recovery as against respondent no.2.

6. In view of such, this Court in addition to the direction contained in order dtd.14.07.2022 held the appellant-company entitled to recover the quantum so fixed by this Court from the owner-respondent No.2 in accordance with law.

7. With the aforesaid modification, the I.A. is disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat



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