

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.755 of 2005

Smt. Gura Sahoo and others ***Appellants***

Mr. B. Mohanty, Advocate

-versus-

Dhaneswar Sethi and another ***Respondents***

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

CORAM:

JUSTICE B. P. ROUTRAY

ORDER
29.11.2022

Order No.

12.

1. Heard Mr. B. Mohanty, learned counsel for the Appellants-claimants as well as Mr. G.P. Dutta, learned counsel for the Respondent No.2-Insurance Company.

2. Present appeal is directed against impugned award dated 05.03.2005 of the learned MACT, Cuttack in M.V. Misc. Case No.623 of 2001, wherein the learned Tribunal has granted compensation to the tune of Rs.1,24,700/- along with interest @6% per annum to the claimants w.e.f.26.07.2001 on account of death of the deceased in the motor vehicular accident dated 29.6.2000.

3. Mr. B. Mohanty, learned counsel for the claimants-Appellants submits for enhancement of the compensation amount mainly on the ground that, multiplier '11' is applicable and future prospects to the income of the deceased as well as consortium to the claimants are not added.

4. Upon hearing both the parties and considering the grounds of challenge advanced, a further consolidated sum of Rs.2,00,000/- (rupees two lakhs) is proposed to the parties in course of hearing. Mr. B. Mohanty, learned counsel for the claimants-Appellants agrees to the same and Mr. G.P. Dutta, learned counsel for Respondent No.2-Insurance Company leaves it to the discretion of the Court. The compensation amount is accordingly fixed to that extent.

5. The Insurance Company is directed to deposit the further consolidated sum of Rs.2,00,000/- before the Tribunal within a period of two months from today; where-after the same shall be disbursed to the claimants on such terms and proportion to be decided by the learned Tribunal.

6. The MACA is disposed of.

7. An urgent certified copy of this order be granted on proper application.

(B.P. Routray)
Judge