

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.229 of 2021

Chandrabhanu Padhan

....

Appellant

Mr. S. B. Das, Advocate

-versus-

Sitaram Panda and another

....

Respondents

Mr. S.K. Mohanty, Advocate for Respondent No.2

CORAM:

JUSTICE B. P. ROUTRAY

ORDER
29.11.2022

Order No.

08.

1. Heard Mr. S.B. Das, learned counsel for the Appellant-claimant as well as Mr. S.K. Mohanty, learned counsel for the Respondent No.2-Insurance Company.

2. Present appeal is directed against the award dated 22.04.2021 of the learned 4th MACT, Cuttack in MAC Case No.469 of 2014 wherein the learned Tribunal has granted compensation to the tune of Rs.50,000/- along with simple interest @6% per annum to the claimant from the date of filing of the claim application i.e.14.07.2014 on account of injuries sustained by him in the motor vehicular accident dated 22.12.2013.

3. Mr. S.B. Das, learned counsel for the Appellant-claimant challenges the quantification of the compensation amount mainly on the ground that the medical expenses are much higher than the amount granted by the learned Tribunal. He thus prays for enhancing the same.

4. Upon hearing Mr. S.K. Mohanty, learned counsel for the insurer and perusal of the impugned judgment, it reveals that the injured-claimant sustained fracture injury in the lower end of right tibia and fibula and he was under treatment in Sonapur Govt. Hospital as well as VSS Medical College and Hospital, Burla from 23rd December, 2013 to 4th January, 2014 as an indoor patient. Thus considering the nature of injuries, period of treatment in the hospitals, which are Govt. Hospitals, and the probable loss of income, a further consolidated sum of Rs.25,000/- is granted to the claimant.

5. Accordingly, the appeal is disposed of with a direction to the insurer-Respondent No.2 to deposit the further consolidated sum of Rs.25,000/- (rupees twenty-five thousand) before the Tribunal within a period of two months from today, which shall be disbursed to the injured-Appellant.

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

(B.P. Routray)
Judge