

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.599 of 2019

The Divisional Manager, Oriental Insurance Co. Ltd. *Appellant*

Mr. P.K. Mahali,, Advocate

-versus-

Kasturi Das and others *Respondents*

Mr. P.K. Mishra, Advocate for Respondent Nos.1 to 4

**CORAM:
JUSTICE B. P. ROUTRAY**

**ORDER
29.08.2022**

Order No.

07.

I.A. No.871 of 2022

1. Heard Mr. P.K. Mahali, learned counsel for the Appellant-Insurance Company and Mr. P.K. Mishra, learned counsel for the Respondent Nos.1 to 4-claimants.

2. It is submitted on behalf of the Appellant that though the appeal was disposed of on 28.07.2022, but right of recovery has not been granted as the offending bus had no valid permit on the date of accident.

3. Upon hearing both the parties, a new paragraph as 9-A is added after paragraph 9 of the said order, which reads as follows:-

“However, as prayed on behalf of the Appellant, it is open for him to seek such right of recovery, if recoverable, from the owner of the vehicle in accordance with law after affording opportunity of hearing to the owner as the offending Bus allegedly had no valid permit on the date of accident.”

4. The I.A. is disposed of.

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

(B.P. Routray)
Judge

