

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.895 of 2019

Pratima Moharana and others ***Appellants***
Mr. B. Singh, Advocate

-versus-

Dhaneswar Sahoo and another ***Respondents***
Mr. G.P. Dutta, Advocate for Respondent No.2

CORAM:
JUSTICE B. P. ROUTRAY

ORDER
29.08.2022

Order No.

07.

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

2. Present appeal by the claimants is directed against the award dated 20.07.2019 of the learned 3rd MACT, Bhubaneswar in M.A.C. Case No.116/65 of 2010 wherein the learned Tribunal has granted compensation to the tune of Rs.7,90,000/- along with interest @7% per annum to the claimants from the date of filing of the claim application i.e.18.05.2010 on account of death of the deceased in the motor vehicular accident dated 7.1.2010.

3. Mr. B. Singh, learned counsel for the Appellants-claimants submits that the learned Tribunal while granting compensation

has not added any future prospects to the income and also did not grant any parental consortium to the minor child of the deceased.

4. After hearing Mr. G.P. Dutta, learned counsel for the Respondent No.2-insurer and considering such grounds of challenge advanced for enhancement of the amount, a further consolidated sum of Rs.3,50,000/- is proposed to the parties in course of hearing. Mr. B. Singh, learned counsel for the Appellants-claimants agrees to the same and Mr. G.P. Dutta, learned counsel for the Respondent No.2-Insurance Company leaves it to the discretion of the Court.

5. Accordingly, the Insurance Company (Respondent No.2) is directed to deposit further consolidated sum of Rs.3,50,000/- (rupees three lakhs fifty thousand) 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 with the above directions.

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

(B.P. Routray)
Judge