

IN THE HIGH COURT OF ORISSA AT CUTTACK

MACA No.412 of 2021

Rasananda Moharana

.... ***Appellant***
Mr.K.C.Nayak, Advocate

-versus-

Kanailal Chakrabarty and another

.... ***Respondents***
Mr.P.K.Panda, Advocate for Respondent No.2

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

ORDER
25.4.2022

Order No.

3.

1. Heard Mr.K.C.Nayak, learned counsel for the claimant-Appellant and Mr.P.K.Panda, learned counsel for Insurer-Respondent No.2.

2. Present appeal by the Insurer is against the judgment dated 22nd September, 2021 of the learned Second Motor Accident Claims Tribunal, Cuttack in Misc. Case No.183 of 2008, wherein compensation to the tune of Rs.1,05,024/- has been granted along with interest @ 7% per annum with effect from the date of filing of the claim application on account of injuries sustained by the claimant in the motor vehicular accident on 18th April, 2007.

3. Having heard both parties and considering the grounds advanced by the Appellant for enhancement, a further compensation of Rs.50,000/- (Fifty thousand) consolidated is proposed to the parties in course of hearing. This is agreed by Mr.

Nayak, learned counsel for the claimant. Mr.Panda, learned counsel for the Insurer leaves it to the discretion of the Court. As such, the amount is fixed to that extent.

5. In the result, the appeal is disposed of with a direction to the Insurer-Respondent No.2, M/s. New India Assurance Co. Ltd. to deposit the enhanced consolidated compensation of Rs.50,000/- (fifty thousand) within a period of two months from today; where-after the same shall be disbursed in favour of the claimant on such terms and proportion to be decided by the Tribunal.

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

(B.P. Routray)
Judge

C.R.Biswal