

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCC No. 549 of 2017

1. Kanhaiya Lal Gond S/o Late Hanumant Gond, Aged About 50 Years
 2. Smt. Manki Devi W/o Kanhaiya Gond, Aged About 46 Years
- Both are R/o Vrindanagar, Ward No.19, Camp-1, Bhilai, P.S. Chhawani, District Durg, Chhattisgarh

---- Appellants

Versus

1. Sarang Suryavanshi S/o Prakash Singh, Aged About 29 Years R/o Near Geeta Bhawan, Pacharipara, Durg, Tahsil And District Durg, Chhattisgarh
2. Sheetal Suryavanshi S/o Suryavanshi, R/o Near Geeta Bhawan, Pacharipara, Durg, Tahsil And District Durg, Chhattisgarh
3. The Oriental Insurance Company Limited, Branch Office, Near Rajendra Park, G.E.Road, Durg, Tahsil And District Durg, Chhattisgarh

---- Respondents

For Appellants	:	Mr. Syed Majid Ali, Advocate
For Respondent No.3	:	Mr. R.N. Pusty, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02/08/2017

1. Present is an MCC filed seeking for modification of the order dated 05.07.2017 passed by this Court in MAC No. 393/2017.
2. Counsel for the appellants submits that there is a typographical/clerical error in calculating the compensation while passing the impugned judgment. Counsel for the appellants submits that during the course of the computation of compensation, the loss of income and dependency came to Rs.11,47,500/- which compensation has been awarded by this Court and under the other heads Rs.1,25,000/- has been added which makes the total compensation payable to the claimants at Rs.12,72,500/-. According

to the counsel for appellants, on account of a clerical error computation part of enhanced amount has been reflected as Rs.2,57,500/- whereas it ought to have been Rs.3,82,500/-.

3. Counsel appearing for the Insurance Company does not dispute this aspect and accepts the request and contention made by the counsel for the appellants so far as the rectification part is concerned.
4. In view of the same order dated 05.07.2017 passed by this Court in MAC No. 393/2017 stands modified to the extent that the claimants shall be entitled for compensation of Rs.11,47,500/- under the head of loss of income and dependency in addition to Rs.1,25,000/- under the other heads as has been awarded by the Tribunal. Thus total amount of compensation payable to the appellants is Rs.12,72,500/- instead of Rs.8,90,000/- as has been awarded by the Tribunal.
5. Thus the order dated 05.07.2017 passed in MAC No. 393/2017 stands modified accordingly. Let this order also be made part of the record of MAC No. 393/2017.

Sd/-
(P. Sam Koshy)
Judge