

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AURANGABAD**

REVIEW APPLICATION (Civil) NO. 231 OF 2017
IN FA/1439/2007

SHAIKH KAMAL SHAIKH BAPUJI
VERSUS
KAILASH NANABHAU BHOGAWADE AND ORS.

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Advocate for Applicant : Mr.S.G.Chapalgaonkar
Advocate for Respondent no.3 : Mr.P.P.Bafna

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CORAM : K.L.WADANE, J.

DATED : 15th December, 2017

O R D E R :

This is an application filed by the claimant, who was original appellant in First Appeal No. 1439 of 2007.

2. Heard learned counsel appearing for both the sides. Both the counsel submit that since original claim was filed by the injured person for compensation regarding injuries and disablement, when the claim was in respect of injury, it was not necessary to deduct 1/3rd amount of compensation towards self-expenses, however, it was inadvertently deducted. Therefore, this is an apparent mistake seen from the record and same can be corrected in the present proceedings.

3. In para no.9 of the judgment of this Court, dated 14.8.2017 in First Appeal No. 1439 of 2007, following calculations be substituted.

" Notional income : Rs. 3,000/- per month
Annual income : Rs.36,000/-
32% Functional disability : Rs. 11,520/-
Multiplier of 14 : Rs.11,520x14=Rs.1,61,280/-
Non Pecuniary : Rs. 49,000/-
Total Rs.49,000+1,61,280/-=2,10,280/-
20% Negligence : Rs.2,10,280-42,056=1,68,224/-
Total Rs.1,68,224/- "

After substitution as above, operative order of the aforesaid judgment be corrected accordingly and corrected copy be issued.

4. Review Application is disposed of in the above terms.

(K.L.WADANE, J.)

dbm