

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCC No. 772 of 2018**

Manager, The New India Insurance Co. Ltd Raigarh, Tahsil And District Raigarh (Chhattisgarh)

---- Applicant**Versus**

1. Smt. Vimla Sharma W/o Chhedilal Sharma, Aged About 45 Years Occupation Business And House Wife, R/o Village Kapu, Tahsil Dharamjaygarh, District Raigarh Chhattisgarh
2. Yadumani Yadav S/o B.M. Yadav, Occupation Driver, R/o Village Tamta, Tahsil Patthalgaon, District Jashpurnagar, Chhattisgarh
3. Ramdutt Joshi S/o H.D. Joshi, Occupation Bus Owner, Bus No. C.G. 13A, 3227, R/o Village Kapu, Tahsil Dharamjaigarh, District Raigarh Chhattisgarh

----Respondents

For Applicant	:	Mr. H.B. Agrawal, Sr. Advocate along with Ms. Preeti Yadav, Advocate
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Hon'ble Shri Justice P. Sam Koshy**Order on Board****10/10/2018**

1. The present MCC has been filed seeking modification in the order dated 05.10.2017, passed in MAC No. 1231/2009. The modification sought is on account of the wrong totaling being made by this Court while disposing off the aforementioned MAC.
2. According to the applicant, the total enhanced compensation by this Court in the said appeal comes to Rs.5,65,772/-, however inadvertently it has been reflected as Rs. 6,15,772/- while passing the order dated 05.10.2017 by this Court.
3. On the perusal of the original award passed by the Tribunal on 15.06.2009 in Claim Case No. 17/2007 and also on perusal of the order passed by this Court in MAC No. 1231/2009 decided on 05.10.2017, this Court is of the opinion that the applicant has rightly moved the

application seeking modification as in the course of totaling of the compensation awarded, there appears to be a wrong calculation made by this Court while deciding the appeal. The total amount of compensation comes to Rs.5,65,772/- instead of Rs.4,50,972/-, which was assessed by the Tribunal, however this Court had wrongly calculated the amount at an enhanced amount of Rs.6,15,772/-.

4. Given the said facts, the order of this Court dated 05.10.2017 stands modified and the total compensation payable shall be read as Rs.5,65,772/- instead of Rs.6,15,772/-.
5. Let the copy of the order passed by this Court in the present MCC be made part of the record of MAC No. 1231/2009.
6. The present MCC thus stands allowed in the aforementioned terms.

Sd/-
(P. Sam Koshy)
Judge

Ved