

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCC No. 858 of 2018**

1. Dharmin Bai Gupta W/o Late Kaushal Prasad Gupta Aged About 60 Years
2. Jitendra Kumar Gupta S/o Late Kaushal Prasad Gupta Aged About 45 Years
3. Shailendra Kumar Gupta S/o Late Kaushal Prasad Gupta Aged About 37 Years

All are R/o Bandwapara Chandramauli Nagar, Near Shiv Mandir, Sarkanda, Tahsil And District Bilaspur Chhattisgarh.

---- Applicants/claimants**Versus**

1. Rajat Rao S/o Mahesh Rao Aged About 21 Years R/o Family Planning, Nutan Chowk, G-4, P.S. Sarkanda, Tahsil And District Bilaspur Chhattisgarh. (Driver Of Offending Vehicle Car No. 10IQ5522).
2. Mahesh Sao S/o Late Sohan Lal Sao Aged About 55 Years R/o Family Planning, Nutan Chowk, G-4, P.S. Sarkanda, Tahsil And District Bilaspur Chhattisgarh. (Owner Of Offending Vehicle Car No. 10IQ5522).
3. Through Branch Manager, Bajaj Alliance General Insurance Company Ltd., Divisional Shiv Mohan Bhawan, Vidhan Sabha Road, Pandri, District Raipur Chhattisgarh. (Insurer Of Offending Vehicle Car No. 10IQ5522).

---- Respondents

For Applicants
For Respondent No.3

Shri A.L. Singroul, Advoate.
Shri Utsav Mahiswar, Advocate.

Hon'ble Shri Justice Gautam Chourdiya**Order On Board****27/11/2018**

1. This is an application filed by the applicants/claimants for modification in the judgment dated 08.10.2018 passed by this

Court in MAC No. 1272/18.

2. Learned counsel for the applicants/claimants submits that due to typographical error the amount of Rs.1,40,000/- incurred by the claimants towards medical expenses of the deceased could not be added in the amount enhanced by this Court and, therefore, the judgment dated 08.10.2018 may be modified to that extent.
3. The aforesaid submission has not been disputed by learned counsel appearing for the respondent No.3.
4. Having heard learned counsel for the parties and gone through the judgment dated 08.10.2018 passed by this Court in MAC No. 1272/18 as also the impugned award, the error pointed out by counsel for the appellants is apparent on the face of the record. Hence, the judgment dated 08.10.2018 is hereby modified to the extent that the claimants shall also be entitled for an amount of Rs.1,40,000/- towards medical expenses in addition to the enhanced amount of Rs. 38,260/- In other words, the claimants shall be entitled for a total enhanced amount of Rs.1,78,260/- with interest at the rate of 6% per annum.
5. With the aforesaid modification in the judgment dated 08.10.2018, the present MCC stands disposed of.

Sd/-
Gautam Chourdiya
Judge

Akhilesh