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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **MAC.APP. 620/2017**

THE ORIENTAL INSURANCE CO LTD.Appellant
Through: **Mr. Pradeep Gaur, Advocate**

Versus

MAHENDER KUMAR & ORS.Respondents
Through: **Advocate (appearance not given)**

CORAM:
HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

16.05.2025 .

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CM APPL. 24778/2025

1. The present Application under Section 152 CPC read with Section 151 CPC has been filed by the Appellant seeking correction in the Judgment dated 18.12.2024.
2. It is submitted that in Para-20 of the impugned Judgment, to consider the 'Loss of Dependency' the minimum wages of the deceased have been taken as Rs.9386/- per month whereas the minimum wages prevalent on the date of accident were Rs.8,814/- per month.
3. Learned Counsel for the Respondents have no objection if the error is corrected.
4. ***Submissions heard and record perused.***
5. Considering that as on the date of accident, the minimum wages of the matriculate were Rs.8,814/- per month, the error in the Judgment dated 18.12.2024 is corrected and the corrected calculation is under:-

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Loss of Dependency:-

- i. Rs.8814 + 40% (towards future prospects) = Rs.12,339.6/- (rounded off to 12,340)
- ii. 12,340-50% (towards personal expenses) = Rs.6,170/-
- iii. Rs.6,710 x12 x 18 = Rs.13,32,720/-
- Total = Rs.13,32,700/-**

6. The Claimants are therefore entitled to the following compensation:-

Sl. No.	Name of Heads	Amount of Compensation awarded by the Tribunal	Amount of Compensation awarded/ modified by this Court
1.	Loss of dependency	Rs.4,78,764/-	Rs.13,32,720/-
2.	Loss of Love and Affection/ consortium	Rs.50,000/-	Rs.80,000/-
3.	Loss of Estate	Rs.50,000/-	Rs.50,000/-
4.	Funeral and Transportation expenses	Rs.25,000/-	Rs.25,000/-
	Total Compensation	Rs.6,03,764/-	Rs.14,87,720/-

7. With aforesaid modification in the Judgment dated 18.12.2024, the present Application is accordingly disposed of.

NEENA BANSAL KRISHNA, J

MAY 16, 2025

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