



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

FIRST APPEAL NO. 3952 OF 2022

Jijabai Wd/ Balaji @ Baloba Khokale

... Appellant

VERSUS

Pundalik S/o Baliram Dhekale and Anr.

... Respondents

.....

Mr. Sushant Choudhari, Advocate for the Appellant

Mr. U. S. Malte, Advocate for Respondent No.2

.....

CORAM : NEERAJ P. DHOTE, J.

DATE : 29.04.2025

Per Court :

1. The Motion is moved for speaking to the minutes of the order dated 22/04/2025.

2. The learned Advocate for the Appellant and the learned Advocate for Respondent No.2 – Insurance Company submit that, this Court had disposed off the Appeal by order dated 22/04/2025 and 10% deduction, which was made by the learned Tribunal as Deceased was not wearing the helmet from the amount of total dependency, is not deducted from the amount computed by this Court towards Loss of Dependency which is shown as Rs.43,75,575, They both submit that, the said 10% deduction from the said amount is required to be done. They submit that, the calculation be made by deducting 10% amount.

3. After hearing both the sides and going through the papers, the learned Tribunal had deducted 10% amount from the amount of Loss of Dependency. Since there is no dispute on the said aspect, the 10% amount comes to Rs.4,37,557/-. By deducting the said 10% amount, the amount towards Loss of Dependency comes to

Rs.39,38,018/-. Considering the said amount of Loss of Dependency after deduction of 10%, the total compensation comes to Rs.42,37,141/-. Hence, the necessary corrections be made in the order dated 22/04/2025 and corrected order be uploaded accordingly.

4. The motion stands disposed off accordingly.

[NEERAJ P. DHOTE, J.]

Sameer/April-2025