C.M.A.Nos.132 of 2018 and 3835 of 2019

DR. G.JAYACHANDRAN,J.
and
MUMMINENI SUDHEER KUMAR,J.

ORDER

[Order of the Court was made by Dr.G.JAYACHANDRAN., J.]

This matter is listed under the caption 'For Being Mentioned' at the instance of the learned counsel for the appellant.

2. The learned counsel for the appellant has pointed out certain errors and sought necessary corrections in the modified award.

3. In the above said appeals, while considering the compensation awarded by the Tribunal, this Court had held that the special conveyance allowance of Rs.13,587/- per month is to be deducted, since it is a personal allowance for the use of the deceased. However, while computing the compensation, the said amount was not deducted. Similarly, the income tax of Rs.36,014/- deducted from the monthly salary was based on the pay slip, however, the tax payable on the 50% of future prospects, which comes around Rs.78,000/- has not been deducted.

4. The annual income tax if calculated after adding 50% towards future prospects and applying the prevailing tax slab, comes around Rs.8,39,968/-. Therefore, the award has to be modified from Rs.3,24,00,000/- to Rs.2,75,24,160/-. Accordingly, paragraph Nos. 33 and 34 of the judgment dated 28.10.2025 are hereby deleted and substituted with the following:-

"33. As a result, the modified award of compensation to the claimants is as follows:

The loss of dependency / income	Rs.2,75,24,160/-.
Loss of consortium	Rs.1,00,000/-
Funeral Expenses	Rs.25,000/-

Loss of Love and affection	Rs.1,00,000/-

Total	Rs.2,77,49,160/-
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34. The apportionment of the modified award is as follows:

Claimants 1 to 3 : Rs.75,00,000/- each

Claimants 4 & 5 : Rs.52,00,000/- shared between them."

Further, in the 3rd line of paragraph 35 of the judgment, the modified award of "Rs.2,77,49,160/-" shall be substituted in the place of "Rs.3,26,37,000/-".

5. The Registry is directed to carry out necessary corrections in the judgment dated 28.10.2025 and issue fresh order copy to the parties concerned.

[Dr.G.J., J.] & [M.S.K., J.]

rpl

21.11.2025

<u>Dr.G.JAYACHANDRAN., J.</u>
<u>and</u>
<u>MUMMINENI SUDHEER KUMAR., J.</u>

rpl

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