

Present: Sh. Rajesh Sindhu, Advocate for applicants-petitioners.
 None for respondent No. 1.
 Sh. Krishan Phogat, Advocate for respondent No. 2.
 Sh. Sanjay Sharma Kharakia, Advocate for the
 respondent No. 3.

This order of mine shall dispose of application under Section 151 and 152 CPC for correction in judgment/award dated 08.12.2025 filed by applicants/petitioners.

2. It is pleaded in the application that claim petition bearing No. MACP-11-2022 was decided by the Tribunal of Sh. Naresh Kumar, the then Motor Accident Claims Tribunal, Charkhi Dadri vide award dated 08.12.2025. It is further pleaded that in para No. 23 of the award five claimants are mentioned but the then learned MACT, Charkhi Dadri had assessed less income of deceased Rajesh. It is further pleaded that the actual income of deceased Rajesh was Rs. 25,710/- per month but the same has been assessed as Rs. 23,996/- by the then learned MACT, Charkhi Dadri. Hence, the then learned MACT, Charkhi Dadri has made wrong calculations and has passed less amount of award. It is further pleaded that the aforesaid Tribunal deducted 1/4th income instead of 1/3rd deduction and made wrong calculations in award. Hence, petitioners prays for necessary correction in Para No. 23, 24 and 27 of the award. Prayer was made to allow present application.

3. Notice of application was given to respondents. Present application has been orally resisted by learned counsel for respondent No. 1 and 3.

4. I have heard learned counsel for the parties and have carefully gone through the record.

5. By way of the present application under Sections 151 and 152 CPC, the applicants seek correction of the judgment/award dated 08.12.2025 by

praying that the monthly income of the deceased be taken as ₹25,710/- instead of ₹23,996/- and that deduction towards personal and living expenses be taken as 1/3rd instead of 1/4th, with consequential re-calculation of the compensation awarded. The reliefs sought by the applicants are not confined to correction of any clerical or arithmetical mistake or omission. On the contrary, the applicants seek re-appreciation of the findings regarding assessment of income and deduction towards personal expenses, which would necessarily result in re-computation of the compensation awarded. The scope of Section 152 CPC is limited to correction of clerical or arithmetical mistakes and omissions. The said provision cannot be invoked to modify findings recorded on merits or to alter the basis on which compensation has been determined. Similarly, the inherent powers under Section 151 CPC cannot be exercised so as to review or substantially modify a final judgment/award when the statute provides an effective remedy of appeal. The grievances raised by the applicants pertain to the correctness of the findings recorded in the award and not to any accidental or clerical error. Such grievances can only be examined by the appellate Court in accordance with law and not in proceedings under Sections 151 and 152 CPC. Accordingly, this Tribunal is of the considered view that the present application is not maintainable and is devoid of merit and is not maintainable under Sections 151 and 152 CPC. Accordingly, the application stands dismissed. File be consigned to record room after due compliance.

Announced:

(D.R.Chalia)
Motor Accident Claims Tribunal,
Charkhi Dadri (UID No.HR0065)
Dated: 03.08.2026

Present: Sh. Rajesh Sindhu, Advocate for applicants-petitioners.
None for respondent No. 1.
Sh. Krishan Phogat, Advocate for respondent No. 2.
Sh. Sanjay Sharma Kharakia, Advocate for the
respondent No. 3.

Today the case came up for awaiting presence of respondents.

Sh. Krishan Phogat, Advocate has filed memo of appearance on behalf of respondent No. 2 and Sh. Sanjay Sharma Kharakia put his appearance on behalf of respondent No. 3. Notice issued to respondent No. 2 not received back in any form. Heard on the application under Section 151 and 152 CPC for correction in judgment/award dated 08.12.2025. Order pronounced. Vide my separate order of even date, the present application is hereby dismissed. File be consigned to record room after due compliance.

(D.R.Chalia)
Motor Accident Claims Tribunal,
Charkhi Dadri (UID No.HR0065)
Dated: 03.08.2026

(Ashish, SG-I)