

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.4156 OF 2014
IN
FIRST APPEAL (ST) NO.22706 OF 2014**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
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Mr.S.S.Dwivedi for the applicant

Mr.Akshay P. Shinde for the respondent no.1

CORAM : K.K.TATED, J.
DATED : 22/07/2015

PC:

- 1 Heard the learned counsel for the applicant.
- 2 This application is preferred by Insurance Company for stay of the operation and implementation of the impugned judgment and award dated 14.3.2014 passed by MACT, Kolhapur in MACP No.565 of 2009 awarding sum of Rs.3,44,000/- with 7.5% interest by way of compensation.
- 3 The learned counsel for the applicant Insurance Company submits that as per order passed by this court on 10.12.2014 they already deposited entire awarded amount in the Tribunal. Statement is accepted.
- 4 The learned counsel for the applicant submits

that they deposited sum of Rs.25,000 at the time of filing First Appeal in this court. Statement is accepted.

5 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application. At the same time, liberty granted to the respondents claimants to prefer appropriate application if they so desire for withdrawal of amount and that application be decided on its own merits.

6 Hence, following order:

(a) Operation and implementation of the judgment and award dated 14.3.2014 passed by MACT, Kolhapur in MACP No.565 of 2009 is stayed till further orders.

(b) Liberty granted to the respondents claimants to prefer appropriate application if they so desire for withdrawal of amount and that application be decided on its own merits.

(c) In the meanwhile, Tribunal is directed to invest the amount in fixed deposit of any nationalised bank initially for a period of one year and same be continued till the hearing and final disposal of the First Appeal.

(d) Civil Application is disposed of accordingly.

(K.K.TATED, J.)