

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE SIDE JURISDICTION.

CIVIL APPLICATION NO.3980 OF 2012
IN
FIRST APPEAL (ST) NO.25883 OF 2012
WITH
CIVIL APPLICATION NO.163 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. M. M. Sathaye for the Applicant.
Mr. Nagesh Chavan for the Respondent and for the Applicant in Civil Application 163/2014.

CORAM : K. K. TATED, J.
DATE : JANUARY 9, 2015

P.C.:

1. Heard. This application is preferred by the Insurance Co. for stay of the operation and implementation of the impugned award dated 18/04/2012 passed by the MACT Sangli in MACP No.50/2009.

2. The learned counsel for the Applicant submits that pursuant to the order dated 20/11/2012 passed by this court, they already deposited their share of compensation in the Tribunal. Statement is accepted.

3. 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.

4. However, the Civil Application No.163/2014 preferred by the original claimant for withdrawal of the amount can be decided on its own merits.

5. Hence, the following order:

a) The operation and implementation of the impugned award dated 18/04/2012 passed by the MACT Sangli in MACP No.50/2009 is stayed in favour of the Insurance Co. only, till hearing and final disposal of the present appeal.

b) It is made clear that Respondent No.1 original claimant is entitled to recover the remaining amount from the remaining Respondents by following due process of law.

c) The Application filed by the original claimants will be decided on its own merits.

d) Civil application stands disposed off accordingly.

JUDGE