

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

CIVIL APPLICATION NO.1284 OF 2014
IN
FIRST APPEAL (ST) NO.26961 OF 2013

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. P. K. Patole i/b. S. S. Patwardhan for the Applicant

CORAM : K. K. TATED, J.
DATE : APRIL 24, 2015

P.C.:

1. Heard. None for the Respondent though served.

2. This Application is preferred by the owner of the offending vehicle for stay of the judgment and award dated 21/06/2012 passed by the MACT, Islampur in MACP No.48/2008 holding that the Respondent-Claimant is entitled to Rs.1,43,475/- with 9% p.a. interest by way of compensation.

3. This court, by order dated 13/10/2013 granted ad-interim relief in terms of prayer clause (a) on condition that the Applicant to deposit the entire decretal amount in the Tribunal.

4. Office note shows that the Applicant has not deposited the entire decretal amount in the MACT, Islampur.

5. Considering the submissions made by the learned counsel for the Applicant and the earlier order passed by this court, as a last chance, 2 weeks time is granted to the Applicant to deposit the entire decretal amount in the Tribunal.

6. Hence, the following order:

a) The operation and implementation of the judgment and award dated 21/06/2012 passed by the MACT, Islampur in MACP No.48/2008 is stayed, subject to Applicant depositing the entire decretal amount in the Tribunal including interest, cost within 2 weeks from today, failing which the Civil Application shall stand dismissed without further reference to the court.

b) If the amount is not deposited within stipulated time as stated hereinabove, the Respondent-Claimant is entitled to execute the award as per law.

c) If the amount is deposited within stipulated time as stated hereinabove, liberty granted to the

Respondent - claimant to file an appropriate Application for withdrawal of the amount, if they so desire, which will be decided on its own merits.

d) If the amount is deposited within stipulated time as stated hereinabove, the Tribunal is directed to invest the amount in a fixed deposit account of any Nationalized bank, initially for a period of one year which will be renewed from time to time till hearing and final disposal of the appeal.

e) Civil Application stands disposed off accordingly.

JUDGE