

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

**CIVIL APPLICATION NO.382 OF 2013
IN
FIRST APPEAL NO.112 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.D.R.Mahadik for the applicant

None for the respondents

**CORAM : K.K.TATED, J.
DATED : 7TH JANUARY, 2015**

PC:

- 1 Heard the learned counsel for the applicant.
- 2 Though respondents are served, no one appeared on behalf of them when the matter was called out.
- 3 This application is preferred by original opponent no.2 Insurance Company for stay of the operation and implementation of the award dated 19th May, 2012 passed by MACT, Sindhudurg at Oros in Application No.35 of 2009.
- 4 The learned counsel for the applicant makes a statement that they have already deposited

entire decreetal amount before the Tribunal. Statement is accepted.

5 Considering the submissions made by the learned counsel for the Applicant and as the applicant has already deposited entire decreetal amount before the Tribunal, I am of the opinion that applicant has made out a case for allowing Civil Application. Hence, following order:

A) Civil Application is allowed in terms of prayer clause (a) which reads thus:

“(a) That pending the hearing and final disposal of the appeal, the operation of the Judgment and Order dated 19-05-2012 passed by Hon'ble Shri K.R.Warrier, Member of Motor Accident Claims Tribunal, Sindhudurg-Oros, in Application No.35 of 2009, be stayed.”

B) Application filed by the respondent original claimant bearing Civil Application No.1999 of 2013 will be decided on its own merits.

C) Civil Application is disposed of accordingly.

(K.K.TATED, J.)