

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

CIVIL APPLICATION NO.4234 OF 2012
IN
FIRST APPEAL NO.51 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. Rahul Mehta i/b. KMC Legal Venture for the Applicant.

Mr. Akshay P. Shinde for the Respondent.

CORAM : K. K. TATED, J.

DATE : MARCH 12, 2015

P.C.:

1. Heard. This Application is preferred by the Insurance Co. for stay of the operation and implementation of the impugned judgment and award dated 16/06/2012 passed by the MACT, Islampur in MACP Application No.27/2010.

2. The learned counsel for the Applicant submits that as per order passed by this court, they deposited the entire decretal amount in the Tribunal. Statement is accepted.

3. The learned counsel for the Respondent claimants also states that the Applicant has already deposited the entire decretal amount in the Tribunal.

4. Considering the submissions made by the learned counsel for the Applicant and the averments made in the Applications, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

5. Hence, the following order:

A) The operation and implementation of the impugned judgment and award dated 16/06/2012 passed by the MACT, Islampur in MACP Application No.27/2010 is stayed till hearing and final disposal of the First Appeal.

B) The Tribunal is directed to invest the amount deposited by the Applicant, 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 further orders.

C) The amount deposited by the Applicant in the Registry of this court at the time of filing of the appeal be transferred to the Tribunal with accrued interest, if any, in the account of MACP Application No.27/2010.

D) The Civil Application preferred by the claimants for withdrawal of the amount will be decided on its own merits.

E) Civil Application stands disposed off accordingly.

JUDGE