

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

**CIVIL APPLICATION NO.343 OF 2012
IN
FIRST APPEAL NO.138 OF 2012**

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 M/s.KMC Legal Venture
for the applicant

None for the respondent

CORAM : K.K.TATED, J.
DATED : 12/06/2015

PC:

- 1 Heard the learned counsel for the applicant.
- 2 Though respondents are duly served, no one appeared on behalf of them when the matter was called out.
- 3 This application is preferred by Insurance Company for stay of the operation and implementation of the judgment and award dated 3.10.2011 passed by MACT, Solapur in MACP No.275 of 2008.
- 4 The learned counsel for the applicant submits that pursuant to the order passed by this court they deposited entire awarded amount in the Tribunal.

5 Statement is accepted.

6 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. Hence, following order:

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

“(a) That this Hon'ble court be pleased to stay the effect and implementation of the impugned judgment and award dated 03.10.2011 passed in M.A.C.T. Application No.275 of 2008 by N.P.Kapure – Ex-Officio Member, Motor Accident Claims Tribunal at Solapur.”

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 entire 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 stands disposed off accordingly.

(K.K.TATED, J.)