

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

**CIVIL APPLICATION NO. 355 OF 2013
IN
FIRST APPEAL NO. 1003 OF 2014**

M/s. Apul Textiles Pvt. Ltd.	... Applicant
V/s.	
Mrs. Kavita Sapan Das	... Respondent

Mr. S.C. Naidu i/b S.P. Munghate for the appellant.
Mr. R.S. Chahal for the respondent.

**CORAM : K. K. TATED, J.
DATED : 05/02/2015.**

PC.:

. Heard learned Counsel for the parties.

2 This application is for stay of operation and implementation of impugned Judgment and Award dated 27.09.2012 passed by the Commissioner for Workmen's Compensation, Mumbai in Application (WCA) No. 2/C-1/2009 holding that respondent claimant is entitled for compensation of Rs.4,72,944/- with 12% simple interest.

3 The learned Counsel Mr. Naidu for the applicant submits that pursuant to the order passed by this court they already deposited entire decretal amount i.e. Rs.7,47,000/- He submits that out of this total amount, they deposited Rs.5,11,062/- in the Tribunal and Rs.2,35,938/- in the Registry of this Court. Statement is accepted.

4 Considering the submissions made by learned counsel for the

applicant and as the entire amount is deposited by the applicant, I am satisfied that applicant has made out the case for allowing the civil application.

5 The application preferred by the respondent claimant bearing Civil Application no. 2842 of 2014 for withdrawal of amount, will be decided on its own merits.

6 Hence, the following order:

i) The operation and implementation of impugned Judgment and Award dated 27.09.2012 passed by the Commissioner for Workmen's Compensation, Mumbai in Application (WCA) No. 2/C-1/2009, is stayed till the hearing and final disposal of the First Appeal.

ii) Civil Application no. 2842 of 2014 preferred by the respondent claimant will be decided on its own merits.

iii) The Registry is directed to transfer the sum of Rs.2,35,938/- with accrued interest, if any, deposited by the applicant in the Registry of this Court to the Commissioner for Workmen's Compensation, Mumbai in the account of Application (WCA) No. 2/C-1/2009.

iv) Civil Application is disposed of accordingly.

(K.K.TATED, J.)