

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

**CIVIL APPLICATION NO. 192 OF 2014
IN
FIRST APPEAL (ST) NO. 1395 OF 2014**

ICIC Lombard General Insurance Co. Ltd. ... Applicant

Shobha Tanaji @ Tayappa Hajare & Ors. ... Respondents

Mr. Nikhil Mehta I/b KMC Legal for the applicant.

Mr. A.B. Tajane for the Respondents.

CORAM : K. K. TATED, J.

DATED : 08/01/2015.

PC.:

. Heard learned counsel for the parties.

2 This application is preferred by original respondent no.2 Insurance Company for stay of operation and implementation of the Judgment and Award dated 11.03.2013 passed by the Motor Accident Claims Tribunal, Solapur in Motor Accident Claim Petition No. 54 of 2010.

3 The learned counsel for the applicant submits that as per order dated 18.01.2014 passed by this Court (Coram: Smt. R.P. Soundurbaldota, J.), they have already deposited entire decretal amount before the Tribunal. Statement is accepted.

4 Considering the submissions made by learned counsel for the applicant, averments made in civil application and as entire amount is

already deposited by the applicant in the Tribunal, I am satisfied that applicant has made out the case for allowing the civil application.

5 Civil Application filed by the respondent nos. 1 to 3 original claimants being Civil Application no. 2928 of 2014 for withdrawal of the amount will be decided on its own merits.

6 Hence, the following order.

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

“a) That this Hon'ble court be pleased to stay the execution of Judgment and Award dated 11.03.2013 passed in M.A.C.T. Application No. 54 of 2010 by Shri. S. M. Khole, Chairman, MACT, Solapur.”

ii) Application filed by the respondent nos. 1 to 3 original claimants being Civil Application no. 2928 of 2014 will be decided on its own merits.

iii) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)