

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

**CIVIL APPLICATION NO. 952 OF 2009
IN
FIRST APPEAL (ST.) NO. 4245 OF 2009**

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 : 08/07/2015.**

PC.:

. Heard learned Counsel for the applicant.

2 This application is preferred by insurance company for stay of operation and implementation of Award dated 02.08.2008 passed by the Motor Accident Claims Tribunal, Raigad in M.A.C.P. No. 458 of 2005.

3 The learned Counsel for the applicant submits that they already deposited entire awarded amount in the Tribunal as per order dated 28.04.2009 passed by this Court.

4 Considering the submissions made by learned counsel for the applicant and averments made in civil application, I am satisfied that applicant has

made out the case for allowing the civil application.

5 Hence, the following order.

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

“a) The pending the hearing and final disposal of the appeal, the operation of the Judgment and Order 02-08-2008 passed by Shri. D.A. Dholakia, Member of the Motor Accident Claims Tribunal and Ad-hoc District Judge – 2, Raigad-Alibag, in Application no. 458 of 2005, be stayed.”

b) Liberty granted to the respondents claimants to take out appropriate application, if they so desire, for withdrawal of the amount and that application will be decided on its own merits.

c) The Tribunal is directed to invest the entire amount in Fixed deposits of any Nationalised Bank, initially for the period of one year and same to be continued till hearing and final disposal of the First Appeal.

d) Civil Application stands disposed of accordingly.

(K.K.TATED, J.)