

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

CIVIL APPLICATION NO.1287/2013
IN
FIRST APPEAL (ST) NO.4756/2013

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. Sandeep S. Jinsiwale for the Applicant
Mr. Sandesh D. Patil for the Respondent.

CORAM : K. K. TATED, J.
DATE : AUGUST 5, 2015

P.C.:

1. Heard. This Application is preferred by Insurance Company for stay of the operation and implementation of the impugned judgment and award dated 30/04/2012 passed by MACT, Pune.

2. The learned counsel for the Applicant submits that as per the order dated 14/06/2013 passed by this court they deposited the entire awarded amount in the Tribunal. Statement is accepted.

3. The learned counsel for the Applicant submits that this Hon'ble Court be pleased to stay the operation and implementation of the impugned

award. He submits that if entire amount is withdrawn by the Respondent, nothing will survive in the present proceedings. He submits that they have good chance in the matter. If stay is not granted, irreparable loss, harm and injury will be caused to the Applicant.

4. On the other hand, the learned counsel for the Respondent-claimant vehemently opposed the Civil Application. He submits that they have preferred Civil Application No.3301/2014 for withdrawal of the compensation amount.

5. 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.

6. Hence, the following order:

a) The operation and implementation of the impugned judgment and award is stayed till hearing and final disposal of the First Appeal.

b) The Tribunal is directed to invest amount of Rs.2,00,000/- in a separate fixed deposit account in the name of claimant Mast. Shridhar Shrinivas

Manglori, through his mother Gita Shrinivas Manglori, in any Nationalized Bank, initially for a period of one and half year and the same shall be renewed from time to time till hearing and final disposal of the appeal.

c) The Tribunal is directed to invest the remaining amount in a fixed deposit account of any Nationalized Bank, initially for a period of one and half year and the same shall be renewed from time to time till hearing and final disposal of the appeal.

d) Civil application No.3301/2014 preferred by the claimants shall be considered on its own merits.

e) Civil application stands disposed off accordingly.

JUDGE